

GROUP OF STATES AGAINST CORRUPTION (GRECO)

Anti-corruption trends,
challenges and good practices
in Europe & the United States of America



Featured essay:
Corruption and Human Rights – Exploring the Relationship
Matthew C. Stephenson

**Anti-corruption body
of the Council of Europe**
22nd General Activity Report (2021)



Group of States against Corruption
Groupe d'États contre la corruption

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Corruption (GRECO)

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Corruption and Human Rights – Exploring the Relationship

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du Groupe d'États contre la corruption*

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INTRODUCTION BY THE PRESIDENT OF GRECO

Marin MRCELA, Justice of the Supreme Court of Croatia

During the first half of 2021, the constraints resulting from the global pandemic still affected the ability of GRECO to carry out evaluation visits. However, GRECO resumed its on-site evaluation visits as from June and was able to carry out seven in 2021, including the first visit to Kazakhstan, GRECO's newest member state. In the course of 2021 GRECO adopted two evaluation reports, 39 compliance reports, two compliance reports incorporating related follow-up to Rule 34 reports and two separate Rule 34 follow-up reports. As I indicated in our 2020 report, the on-site dimension of GRECO's monitoring is indispensable for our assessments and the resumption of the visits is a very positive development. Having inevitably accumulated a backlog during the period where visits were not possible, GRECO is fully focused on catching up, while also noting the considerable volume of compliance reports adopted in the meantime.

GRECO welcomes the work of the Committee of Ministers' Ad Hoc Working Party on Monitoring in preparation of the Hamburg Ministerial in May 2021. GRECO itself has not felt the so-called "monitoring fatigue" which is a phenomenon sometimes mentioned in connection with the Council of Europe's monitoring mechanisms. Rather we note an overall high level of engagement on the part of our member states in the GRECO evaluation process and compliance process. This concerns the execution of the monitoring work and the engagement of the national delegates to GRECO, both of which function extremely well. It means there is a constant peer-based dialogue and exchange about how to prevent and combat corruption.

Of course, monitoring is ultimately about generating improvements and we would certainly wish to see stronger results as regards implementation of the GRECO recommendations. It is important that the formal support for eradicating corruption wherever it may appear also translates into specific and concrete improvements, going beyond legislation and institution-building.

I would like to thank the successive Secretaries General for their unwavering support for GRECO's work. Whether it is in the context of the Secretary General's annual Report on the state of Democracy, Human Rights and the Rule of Law in Europe or in the course of their high-level bilateral visits, I am grateful for their efforts to support the implementation of our recommendations at the highest level. I trust this support will continue in the years ahead.

I welcome the priority attached by the Parliamentary Assembly of the Council of Europe (PACE) to raising awareness about, and pushing for action on, matters of corruption, such as in its 2021 report on "Transparency and regulation of donations to political parties and electoral campaigns from foreign donors". GRECO monitors the implementation of CM Recommendation Rec(2003)4 "On Common Rules Against Corruption in the Funding of Political Parties and Electoral Campaigns" which builds on PACE Recommendation 1516 (2001) and provides fundamental principles for political financing and expenditure, as well as provisions on transparency and supervision in this area.

GRECO has continued to attach great importance to ensuring co-operation and synergies with the other international anti-corruption monitoring bodies in the United Nations, notably the United Nations Office on Drugs and Crime (UNODC), the Organisation for Economic Co-operation and Development (OECD) and the Organization of American States (OAS), within the boundaries of our respective mandates. We have met regularly to co-ordinate meetings and evaluation dates, exchange information, including on how to work during COVID, and organise joint events where possible. I note that, comparatively, GRECO has kept a high rate of delivery thanks to its compliance procedure and its swift resumption of on-site visits.

I contributed a message on behalf of GRECO to the UN General Assembly Special Session Against Corruption (UNGASS 2021) in June 2021 and welcomed the UNGASS political declaration which confirms our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation.

The Secretariats of the major anti-corruption mechanisms (UNODC, OECD, GRECO) have pledged to continue to join forces to maximize impact towards the common goal of reducing corruption in all its forms. GRECO also co-operates with the OECD Working Group on Bribery in International Business Transactions and with the G20 Anti-Corruption Working Group.

The EU has observer status with GRECO and co-operation remains close. GRECO evaluations and compliance reports feature strongly in the European Commission Rule of Law Report. The door continues to be open for the EU to become a full member of GRECO.

I have continued to contribute content to the pioneering education module on anti-corruption we have developed with the “Federation for Education in Europe” (FEDE), an INGO with participatory status with the Council of Europe. This module forms part of FEDE’s course on European Culture and Citizenship and is being taught across FEDE’s network of higher and vocational educational institutions. Indeed, education is one of the strongest tools for preventing and fighting corruption. It should start as early as possible and be embedded in the educational systems in every country.

On behalf of GRECO, I warmly welcome the voluntary contributions made by Belgium, Serbia and Sweden in the course of the 2020-2021 budget biennium in further support for the implementation of GRECO’s Programmes of Activities, including our collaboration and synergy efforts in the wider anti-corruption landscape.

GRECO member states also benefit from the technical assistance provided by the Economic Crime Cooperation Division of the Council of Europe which aims to support and facilitate the steps needed by member states to implement GRECO’s recommendations.

Corruption unfortunately affects all domains of activity and sport is no exception. A lack of integrity in sport erodes the values that are at the heart of the sport movement, such as respect, equality, fairness and trust. It also diverts financial resources to the detriment of all those involved in practising, managing, adjudicating, organising and watching sports. GRECO has developed a working level partnership with FIFA, exploring how FIFA may rely on the input and expertise of GRECO in order to strengthen its rules for preventing and fighting corruption. On this issue as well, we note PACE’s engagement in their report on “Football governance: business and values”. GRECO also takes part in the work being done by the International Partnership Against Corruption in Sports (IPACS).

As regards the COVID pandemic, in the Guidance I issued on behalf of GRECO in 2020 I pointed to three key principles to be observed in all circumstances when it comes to preventing and addressing corruption: transparency, oversight and accountability. The Guidance explained how at a time of extraordinary circumstances, such as the pandemic, those tools are more important than ever. The specific risks GRECO identifies include large-scale public procurement procedures, undertaken when public institutions are under pressure to deliver quickly. There is the risk of bribery in medical-related services, or of corruption in new product research and development. We have furthermore pointed to the need for effective whistle blower protection at such times. I would also mention the fraud dimension, and the risks to trust in public health provision posed by the appearance of falsified vaccines. Moreover, decision-making in many instances shifted from the legislature and the courts to the executive, which reinforces the need for scrutiny and oversight in all situations. I reiterated these points on the occasion of the International Anti-Corruption Day on 9 December.

Some of the most attention-grabbing scandals to emerge during the past year have concerned lobbying, often (but not only) in relation to COVID and privileged access to government contracts facilitated by lobbying. Everyone has the right to participate in public affairs and lobbying is a fundamentally legitimate activity that can make a real contribution to the democratic process, open government and well-informed public decision-making. At the same time, as PACE have pointed out (Res 2125 (2016) on transparency and

openness in European Institutions), citizens should know which actors influence the making of political decisions. Increasing transparency and accountability in lobbying can strengthen public confidence in political systems, the public administration and indeed in democracy. This public confidence has on some occasions been tested to the limit in 2021.

Corruption scandals emerge with dismaying regularity in the media, often due to risks identified by GRECO actually materialising. The response is not always as we would wish; the “shock value” appears to be diminishing, the public is becoming more jaded and those at the root of the scandals are becoming more impervious to the brief public disgrace that may follow such revelations.

It would be good if these situations could be avoided through strong and effective preventive measures. As expressed by Daphne Caruana Galizia’s sons in GRECO’s 2017 General Activity Report, in countries where there is no will or capacity to prosecute the corrupt figures they expose, journalists often become the targets themselves. It is vital that authorities respect freedom of the media and that those engaging in corrupt behaviour pay the price for corruption, and not those exposing it.

This is just one aspect of corruption and human rights explored in the essay by Professor Matthew C. Stephenson of Harvard Law School included in the present report. I also note that it was investigative journalists who did the important work of bringing the information contained in the Pandora papers into the public domain.

The rate and speed of publication of GRECO’s reports is high and this is extremely positive. Here too, transparency is the first step towards change. But implementation of GRECO’s recommendations should be further strengthened. Compliance within the 4th Evaluation Round on corruption prevention for MPs, judges and prosecutors is lowest when it comes to MPs (cf. statistics starting from page 30). Further progress requires genuine will by parliamentarians to engage in anti-corruption efforts, and change depends on parliamentarians themselves taking steps and reaching agreement.

Finally, I would like to recall that we must never relent when it comes to preventing and fighting corruption. The reasons are directly linked to the possibility of everyone effectively enjoying the fundamental principles on which the Council of Europe is built, and which are fleshed out in the European Convention on Human Rights and the case law of the European Court of Human Rights. Corruption undermines the rule of law and the protection of human rights. It diverts funds from their intended purposes and erodes trust in democratic institutions. Corruption makes our societies less fair and less equal.

GRECO’s work continues, and we remain committed to ensuring the highest standards of integrity in our member states.



Exchange of views with Nina BETTETO, President of the CCJE



On-site visit - Montenegro



Compliance procedure - Malta



Exchange of views with Desislava GOTSKOVA, Head of Secretariat, RAI



On-site visit - Hungary



High-level working group on constitutional and judicial reform in the Republic of Moldova



Exchange of views with Katherine ELLENA, Senior Global Adviser, IFES



Exchange of views with Laura STEFAN, Executive Director, Expert Forum

KEY FINDINGS

Although still affected by the COVID-19 pandemic, GRECO's core evaluation work remained strong in 2021. GRECO adopted 2 evaluation reports and 43 compliance reports including two compliance reports incorporating related follow-up to Rule 34 reports and two separate Rule 34 follow-up reports. Fortunately, GRECO was able to resume its onsite work and it carried out seven evaluation visits between June and November 2021. The synthetic information set out below about GRECO's findings is based on the reports made public in 2021 or earlier.

4th Round – Prevention of corruption in respect of members of parliament, judges and prosecutors

The compliance process in the 4th Evaluation Round continued in 2021 (see Figure 1). Through the adoption of its 4th Round compliance reports, GRECO was able to push for the implementation of a solid body of recommendations to strengthen the prevention of corruption in respect of members of parliament, judges and prosecutors. The key findings of the 4th Evaluation Round were summarised in a study entitled [Conclusions and Trends: Corruption Prevention in respect of Members of Parliament, Judges and Prosecutors](#) (2017).

Most member states have made progress in drafting new Codes of Conduct for **Members of Parliament** and in preparing related laws and/or guidance concerning inter alia conflicts of interest, gifts, financial and ad hoc disclosure requirements, secondary activities, and contacts with lobbyists and third parties. The challenges lie with supervision, enforcement, guidance and awareness-raising mechanisms. With limited exceptions, GRECO observed that most of the proposed laws have not yet been adopted and that the practical measures necessary for their implementation are still not fully operational. Some member states have indicated that the development of such legislative and institutional changes was hampered by particular circumstances, most notably the COVID-19 pandemic.

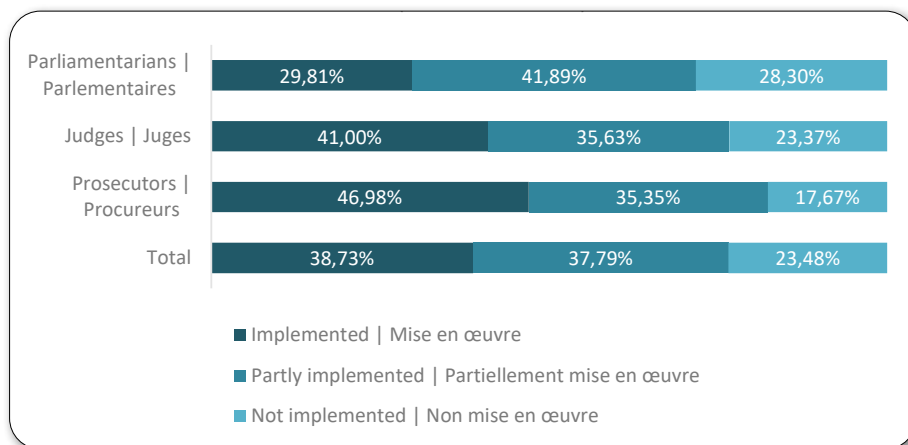
Member states have made progress in complying with GRECO's recommendations concerning the **judicial branch**. New Codes of Ethics have been adopted, together with practical reforms regarding guidance and training. Financial disclosures, conflicts of interest and gifts are some of the issues dealt with in new regulations. Mechanisms for the appointment and evaluation of judges have also evolved as far as transparency and accountability are concerned. When constituted and empowered in line with the Council of Europe's standards and the recommendations of GRECO, judicial councils help bolster judicial independence and reduce the scope for discretionary or biased decision-making in respect of the judges. In line with GRECO's inputs, some member states have taken steps to strengthen the role of those councils. GRECO observed that progress is still expected, and a more systematic approach necessary, when it comes to confidential counselling for judges on integrity matters.

Similarly to the initiatives concerning judges, member states have promoted **prosecutors'** integrity by drafting dedicated Codes of Ethics and, in some cases, by integrating them in adequate ways into regular training on conflicts of interest and related issues, e.g. acceptance of gifts and other advantages, incompatibilities and outside activities. While GRECO has welcomed such important initiatives, it has also underlined once more the need to complement them with effective supervision and enforcement. Similarly, in certain countries additional efforts must follow to develop adequate arrangements to shield the prosecution service from undue influence and interference in the investigation of criminal cases. This is particularly important for the prosecution of high-profile corruption cases.

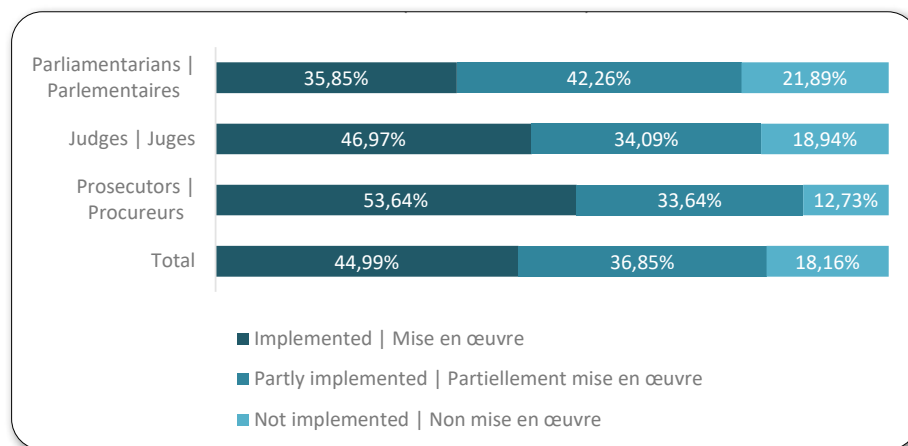
Figure 1 – Implementation of 4th Round recommendations by GRECO member states 2020-2021

Readers should bear in mind that the member states are at different stages of GRECO’s procedure for the round and that the duration of a monitoring procedure varies– from the baseline evaluation report through the compliance procedure until the closing of the round in respect of each state. The statistics take account of all compliance reports made public by the end of 2020 or 2021, respectively.¹

Situation at end 2020 – 46 member states



Situation at end 2021 – 46 member states



1. At end 2021, the following countries were in the non-compliance procedure under the 4th Round: Armenia, Belgium, Bosnia and Herzegovina, Denmark, Germany, Hungary, Luxembourg, Republic of Moldova, Poland (including Rule 34 follow-up), Romania (including Rule 34 follow-up), Serbia, Turkey and Ukraine.

5th Round – Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies

GRECO's 5th Evaluation Round deals with two categories: central governments, including persons with top executive functions (PTEFs), and law enforcement. The two groups selected by GRECO are different in scope and powers, yet their ability to maintain and demonstrate integrity, as well as their capacity to cope with their internal corruption-related risks, are vital for the proper functioning of democracies based on the fundamental values of the rule of law and the protection of human rights.

Setting the proper tone should start with those with **top executive functions** who should lead by example when it comes to integrity. Irrespective of differences in the form of government and traditions, GRECO focused on the following major topics:

- ▶ Anticorruption and integrity policy, regulatory and institutional framework
- ▶ Transparency and oversight of executive activities of central government
- ▶ Conflicts of interest
- ▶ Prohibition or restriction of certain activities
- ▶ Declaration of assets, income, liabilities and interests
- ▶ Accountability and enforcement mechanisms

Anticorruption and integrity policy, regulatory and institutional framework

PTEFs need to be included in existing integrity policies. GRECO has recommended to analyse and mitigate the risks this group of officials is exposed to and to build monitoring and compliance measures to help them achieve and be seen to achieve better progress in preventing corruption and instilling integrity. Most of the countries evaluated so far were asked to adopt codes of conduct for PTEFs or to revise them. Many of them were advised to adopt or consolidate in a single document policies or standards, providing clear guidance on conflicts of interest and other integrity related matters.

Particular emphasis was put on the enforcement of such codes, with effective mechanisms of supervision (with possible sanctions), coupled with confidential counselling and regular and compulsory training.

GRECO has paid particular attention to political advisors, a category of persons that generally falls within a grey area when it comes to the applicable integrity regimes. Because of their political role and possible influence in decision-making processes, GRECO has underlined that it is essential that the transparency and integrity requirements for political advisors be adapted to the nature of their mandate and their specific responsibilities, equivalent to those applied to other political appointees with top executive functions.

Transparency and oversight of executive activities of central government

GRECO issued recommendations to many countries relating to the absence of rules or guidance on how PTEFs should engage with lobbyists or third parties seeking to influence the public decision-making process. Many countries were advised to ensure transparency in this area and asked to require disclosure of such contacts and sufficient details of the subject matters discussed. Moreover, reference must be made to informal contacts that happen outside the workplace whenever a PTEF is asked, because of his/her official role, for a favour, or special access to information, meetings, etc. The European standard in this area is the [Recommendation CM/Rec \(2014\)2 on the legal regulation of lobbying activities in the context of public decision making](#).

Access to information and transparency of the law-making process are areas that have required GRECO's vigilance, despite the recommendations that countries received in the past. GRECO has recalled the overall principle of transparency of public documents and that this should be guaranteed in practice. It has been reiterated that any exceptions to the rule of public disclosure should be limited to a minimum and that outcomes of public participation procedures should be public information. Public scrutiny is also key when it comes to public procurement, in particular concerning large public contracts.

Building on the recommendations it issued in its 1st and 2nd Evaluation Rounds, GRECO returned to access to the issues of information and transparency of the law-making process in its 5th Evaluation Round. It would appear that there is still a broad margin of discretion for determining what is in the public domain and whether to exclude a certain document from free access. GRECO was concerned that some members were being restrictive in the application of Freedom of Information Acts (FOIA) requirements. Some agencies showed a certain

reluctance to disclose information, preferring rather to apply exceptions in order to withhold all or parts of information. The application of FoIA is, more often than is desirable, not consistent across government entities, which suggests the need to develop targeted training to create a more common understanding and application of the laws. In this context, GRECO reminded countries of the standard set by [Committee of Ministers recommendation Rec\(2002\)2 on access to official documents](#), which provides inter alia that limitations to the right of access to official documents must be necessary in a democratic society, proportionate, and only applied if there is not an overriding interest in disclosure. Similar provisions are included in the [Council of Europe Convention on Access to Official Documents \(CETS No. 205\)](#).

Conflicts of interest

Effectively managing real, potential or perceived conflicts of interest is key to preventing corruption. For a majority of the countries evaluated so far, GRECO has recommended improving the management of conflicts of interest, including those arising on an ad hoc basis, in particular by clearly defining the rules and procedures that apply. It has recommended that a requirement of ad hoc disclosure be introduced in respect of persons exercising top executive functions in situations of conflict between their private interests and official functions when they occur. Rules about conflicts of interest should also cover political advisors.

Emphasis has been placed by GRECO on advisory, monitoring and compliance mechanisms. The system for managing conflicts of interest should be supplemented with clear provisions and guidance regarding (i) a requirement for persons exercising top executive functions to disclose conflicts ad hoc, and (ii) clear procedures, responsibilities and deadlines for solving situations of conflict of interest, including following complaints by the public or by other institutions.

Prohibition or restriction of certain activities

Incompatibilities, gifts, misuse of confidential information and restriction of post-employment activities have been assessed by GRECO. With regard to secondary activities, many countries have been asked to review their existing rules and spell out in greater detail the activities that can be exercised by PTEFs and those which should be excluded, as well as to regulate the process for notification or requesting permission. In relation to gifts and other benefits, GRECO has reiterated the importance of strict limitations, highlighting the risk of “favours” being exchanged in situations where there is excessive “cosiness” between politicians and the business community.

Many of the countries evaluated have also been advised to improve the situation with regard to the mobility of PTEFs from the public to the private sector (the so-called “revolving-doors”), and vice-versa. For instance, GRECO has recommended developing general guidelines to address the conflicts of interest that may arise from former private activities when an individual enters government service as a top executive official, and when a person entrusted with top executive functions is negotiating a new position outside of government service if such negotiations take place before leaving public office. Attention has also been paid to cooling-off periods and their adequacy. The most common timeframe for such periods in respect of the GRECO members evaluated to date is two years. GRECO has noted that the length of the cooling-off period is less important than whether the limits are effective in preventing and managing conflicts of interest.

Declarations of assets, income, liabilities and interests

Despite multiple attempts to introduce financial disclosure obligations as a tool of transparency, a number of deficiencies remain with regard to the scope of persons covered by this requirement, the timely publication of declarations and, most importantly, with regard to their scope and independent and systematic monitoring. All PTEFs should be subject to equivalent disclosure requirements. It has been recommended to almost all the countries evaluated to consider widening the scope of declarations of interests to include information on spouses and dependent family members.

A formal system for review of the declarations of ministers and disclosures by other PTEFs should be established or enhanced and enforceable sanctions should be applied for failing to file, or knowingly making false statements in the disclosure reports. Furthermore, the reports filed have an additional corruption prevention value as they can be used for counselling purposes.

Accountability and enforcement mechanisms

PTEFs should lead by example in matters of integrity. Some countries refer to political responsibility in the form of “naming and shaming” as the most effective sanction. However, GRECO does not consider that this is enough in itself and has called for the development of additional controls and sanctions in order to ensure that ethical misconduct is detected and addressed even without media scrutiny and public or political pressure. GRECO has issued a series of recommendations relating to accountability and the enforcement of anti-corruption measures, for example to strengthen public integrity bodies and equip law enforcement with the proper means to conduct inquiries and investigations. As already mentioned, GRECO has indicated that codes of conduct for PTEFs would benefit from a robust mechanism of supervision and enforcement. It has also pointed out that the outcome of procedures undertaken in respect of persons entrusted with top executive functions should be made known to the public. In some instances, GRECO has encouraged law enforcement to be more proactive in dealing with suspected offences by PTEFs and start investigations on the basis of reasonable suspicion rather than irrefutable evidence. GRECO has reiterated recommendations given during the 1st Evaluation Round with regard to making it possible for law enforcement, subject to judicial authorisation, to use special investigative techniques.

Immunity should not result in impunity. Long after immunities was dealt with in GRECO’s 1st Evaluation Round, GRECO has issued recommendations to some countries about the standard laid down in the [Twenty Guiding Principles for the Fight against Corruption](#) stipulating that *immunities should be limited to the extent necessary in a democratic society so as not to hamper the investigation, prosecution or adjudication of corruption offences*. It goes without saying that this rule also applies to criminal investigations against PTEFs. GRECO has recommended limiting the privileges enjoyed by PTEFs with respect to prosecution for acts performed outside their official capacity and has stressed the importance of objective and fair criteria for lifting immunities.

Law enforcement agencies have the authority and powers to tackle crime. Given their authority to enforce the law, law enforcement officers should always be aware that they are bound by high standards of integrity. In respect of law enforcement, GRECO has focused on the following major topics:

- ▶ Anticorruption and integrity policy
- ▶ Recruitment, career, and conditions of service
- ▶ Conflicts of interest
- ▶ Prohibition or restriction of certain activities
- ▶ Declaration of assets, income, liabilities, and interests
- ▶ Oversight and enforcement

Although bound by the hierarchical structure, law enforcement agencies should ensure that their investigations are independent and free from any undue political or other pressure.

Decisions affecting the career of officials can lie in the hands of superiors, a fact that is particularly sensitive if processes are decentralised (e.g. regarding appointments, promotions, bonuses, medals or awards, assignments and training opportunities, authorisation of secondary activities, and also transfers and discipline). For this reason, GRECO recommends streamlining procedures, placing the gathering of data at central level, and strengthening accountability, including by providing for adequate internal and external appeal channels. GRECO has also emphasised that it is imperative that superiors are able to fully understand the areas of vulnerability and set the right benchmarks for reacting to ethical challenges.

Visible leadership which consistently displays appropriate behaviour is key. Leading by example can influence in decisive ways the behaviour of subordinates, their professionalism and the organisational culture. Specific on-going training must be in place for managers so as to better equip them for providing the lead on ethics and preventing conflicts of interest and other integrity and anticorruption matters within their teams. Such training will serve both to raise awareness and to reinforce ethical practice.

Anti-corruption and integrity policy

In a number of countries evaluated, GRECO has recommended adopting a coordinated corruption prevention and integrity policy for the police, based on the systematic and comprehensive review of risk prone areas, which should be coupled with a regular assessment mechanism. In countries which were found to have well-developed national anti-corruption strategies, codes of conduct and overall policy guidelines, several were

asked to complement their codes of conduct with provisions on gifts, ad hoc conflicts of interests and relations with third parties. GRECO has also stressed that adherence to such codes should be supervised and enforced, in some cases asking for the introduction of the possibility to apply sanctions.

No enforcement of a code of conduct is possible without it being well understood and internalised. With that in mind, for almost all countries assessed, GRECO has recommended having regular training on corruption prevention, integrity and conflicts of interests, conducted by qualified trainers, for all police staff, and notably including their superiors. GRECO has also pointed out that all preventive tools should be explained to the public so that it is aware of the integrity standards that apply to the police, and as a means of gaining trust and support.

Organisation and accountability

To be able to perform effectively, adequate resources for law enforcement are necessary. In some instances, GRECO has had to stress to the authorities that they need to ensure appropriate and adequate remuneration for their police officers. GRECO has also been concerned in some instances that the necessary resources and expertise were not always allocated to allow for effective reforms of the police and their internal control structures.

GRECO has stressed that the police should have sufficient operational independence in practice from the political level, i.e. the ministry in charge of police matters, and that pertinent measures should be taken to ensure that individual police officers comply in practice with the duty to implement the existing rules on integrity and impartiality in order to carry out their functions in a politically neutral manner.

Recruitment, career and conditions of service

GRECO has recommended that the management of law enforcement careers be driven by the principles of transparent and merit-based recruitment, promotion and dismissal, offering an objective appeal procedure, having clear criteria for motivating staff and striving for gender balance. In a few instances, GRECO has recommended building on or enhancing these principles, stressing that vacancies in the police should be advertised rather than candidates being “hand-picked” by means of transfers from the civil service. GRECO has also pointed out that selection should be based on clear and objective criteria rather than subjective preferences, that no-one should unduly influence the process and that those aspiring to the highest offices should not be above this rule. Moreover, GRECO has underlined the importance of security checks at regular intervals throughout the careers of law enforcement staff as their personal circumstances are likely to change over time and, on occasion, might make them more vulnerable to corruption risks (financial problems arising for example as a result of a mortgage or consumer loan, divorce, the illness of a relative, the bankruptcy of a spouse, radicalisation, etc.). GRECO has finally recommended designing additional measures to improve gender balance at all levels and in all sectors.

Conflicts of interest

Fairness and impartiality are paramount for all those exercising a public function; they are particularly important for law enforcement given their extensive powers. Law enforcement personnel need to be proactive in dealing with their own conflicts of interest. For some countries, GRECO has recommended having a more streamlined approach in this area, with clear rules and oversight of their implementation.

Prohibition or restriction of certain activities

The rules are stricter in some countries than others when it comes to prohibiting law enforcement staff from performing any activity other than their work functions. A few explicitly prohibit law enforcement officials from performing activities which could be to the detriment of their service in the police. In most countries evaluated, GRECO has issued a recommendation in relation to secondary employment for law enforcement.

In some cases, GRECO has recommended a streamlined system for the authorisation of secondary employment, with effective follow-up. In other instances, GRECO has advised studying the issue carefully so as to be better placed to decide if additional measures are needed to limit such activity, and if so to establish clear criteria for granting permission.

GRECO has recommended considering introducing, or tightening, specific mechanisms for preventing and managing conflicts of interests after law enforcement officers leave their force, including examining the practice more thoroughly in order to limit unrestricted permissions with regard to post-employment. The lack of rules

on “revolving doors” in the public sector in some countries was noted by GRECO already in the 2nd Evaluation Round. In the case of law enforcement, GRECO underlined the risks this poses to their integrity. GRECO referred to [Recommendation No. R\(2000\)10 of the Committee of Ministers to member States on Codes of Conduct for Public Officials](#), Article 26, stating that “*the public official should not take improper advantage of his or her public office to obtain the opportunity of employment outside the public service*”.

Declaration of assets, income, liabilities and interests

As regards the declaration of assets, income, liabilities and interests, GRECO has recommended (i) analysing the need for a robust, effective and regular system of declaration for top management and/or certain at-risk positions; (ii) ensuring information is publicly and easily accessible and that the system is effectively implemented; and (iii) considering extending declaration requirements to spouses and dependent family members.

Oversight and enforcement

This topic has attracted GRECO’s close attention and recommendations have covered the development of stronger risk management systems, making sure that these risks are addressed, and that oversight is in place. Preventing the risk of unauthorised access to registers and the leaking of information have been flagged. GRECO has looked at how solutions for preventing corruption risks in the police found in some countries could be useful to others. These include “multiple-eyes” procedures and greater gender mainstreaming. Another example is the rotation of staff in areas exposed to risks of corruption.

GRECO has been particularly concerned about the issue of the so-called “blue code” (or “wall of silence”), i.e. the informal code among law enforcement officers not to report colleagues’ misconduct or offences. GRECO believes that transparency is an essential tool for upholding public trust in the functioning of the police authority and that it is a guarantee against any public perception of self-interest or self-protection within the profession. With that in mind, a few countries have been reminded of the obligation for their police to report not just corruption but also integrity-related misconduct.

The system of investigation of public complaints needs to enjoy sufficient independence so as to guarantee its objectivity and effectiveness. GRECO has underlined the need to strengthen safeguards to ensure that follow-up of misconduct is truly impartial and seen as such by the public, and sufficiently transparent.

The majority of the countries evaluated have been given a recommendation regarding the protection of whistle-blowers in law enforcement, with a special focus on the need to strengthen it and to provide dedicated guidance and training for all levels of the hierarchy. Whistle-blower protection is particularly important because of the above-mentioned “wall of silence” which may exist in law enforcement agencies. Most countries are in the process of upgrading their legislative frameworks for whistle-blower protection. This is particularly true and relevant for EU members because of the requirement to duly transpose the 2019 EU Directive on whistle-blower protection. Implementation in this area also remains pressing. It is key that procedures and organisational arrangements be put in place and their implementation able to effectively support whistle-blowers, in line with [Recommendation CM/Rec\(2014\)7 of the Committee of Ministers to member States on the protection of whistleblowers](#).

For the system to work in practice, it is crucial that whistle-blowers trust the mechanisms available for their protection; the risk of reporting would otherwise be too high. A legislative ban on retaliation should be coupled with workable remedies and relief for whistle-blowers. It should also provide for adequate sanctions for those who retaliate. GRECO has found that more can be done to promote awareness in this area, including with a view to changing perceptions and attitudes towards protected disclosures and whistle-blowers within law enforcement agencies. To this end, training opportunities in law enforcement agencies on these matters should be intensified.

Selected good practice from the 5th Round

Corruption prevention in central government (including top executive functions)

Transparency in the composition of ministerial cabinets – Belgium

The names and positions of all ministers' advisers on substantive issues ("collaborateurs de fond") have been made public on the government internet portal and the information is updated very regularly. This contributes to the transparency of government decision-making and facilitates scrutiny by the media, civil society and the public.

Prior vetting of private office/cabinet staff – France

Appointments of members of Ministers' private offices and staff of the President of the Republic who have worked in the private sector over the previous three years are now subject to prior vetting by the High Authority for Transparency in Public Life (HATVP) of the relevant candidates' integrity. The HATVP's opinion must be complied with, otherwise the appointment is cancelled.

Risk analysis – Latvia

An assessment of integrity risks faced by political officials was carried out by the State Chancellery, with the involvement of the Corruption Prevention and Combating Bureau (KNAB) covering 1) analysis of groups of political officials facing integrity risks; 2) ascertainment of the functions, competences and scope of action of political officials which give rise to integrity risks specific to each group; 3) mapping integrity risks (corruption, conflicts of interest, gifts, lobbying, information disclosure, etc.); 4) identification of remedial measures for each risk; and 5) calculation of the probability and scale of each risk (high/low, "gross risk"). It may serve as a basis for measures such as the revision of regulations, a brochure on standards of conduct, an online ethics course and the setting up of a monitoring mechanism.

Selected good practice from the 5th Round

Corruption prevention in law enforcement agencies

Gender equality – Estonia

In competitions for the Police and Border Guard Board, co-operation with the Estonian Policewomen's Association and a more gender-balanced composition

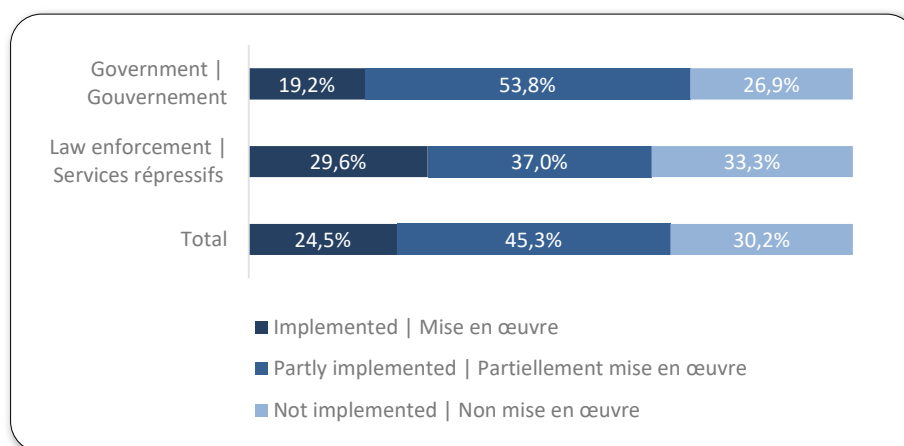
of selection committees are steps taken with the aim of improving the representation of women at all levels in the Police and Border Guard Board.

The compliance process in the 5th Evaluation Round continued in 2021 (see Figure 2). Through the adoption of its 5th Round compliance reports, GRECO was able to push for the implementation of a solid body of recommendations to strengthen the prevention of corruption and promote integrity in central government and law enforcement.

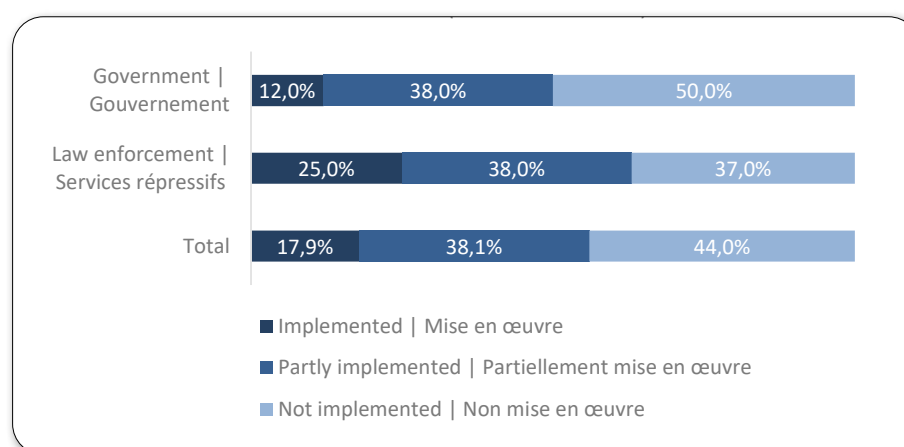
Figure 2 – Implementation of 5th Round recommendations by GRECO member states 2020-2021

Readers should bear in mind that the member states are at different stages of GRECO's procedure for the round and that the duration of a monitoring procedure varies – from the baseline evaluation report through the compliance procedure until the closing of the round in respect of each state. The statistics take account of all compliance reports made public by the end of 2020 or 2021, respectively.

Situation at end 2020 – 3 member states



Situation at end 2021 – 15 member states



Gender diversity is key in the prevention of groupthink and in turn of corruption. About a third of the questions contained in GRECO's 5th Round questionnaire are gender related. These include requests for statistics on gender representation in the branches of power under review (i.e. central governments and law enforcement) and for criminal/disciplinary statistics by gender. One of the aims is to identify gender imbalances which might potentially lead to, or result from, non-transparent informal networks and decision-making processes. As GRECO has sometimes pointed out in country reports, diversity has the potential of having positive effects on the overall working environment within an institution, making it more representative of the population as a whole. GRECO has issued a number of gender-related recommendations during its 5th Evaluation Round, aiming notably at increasing the representation of women at higher levels of law enforcement agencies and ensuring their integration at all levels of those agencies.

Communication through traditional and social media is embedded in GRECO's work and allows information about GRECO's recommendations in every country to be widely disseminated and debated. GRECO's monitoring receives considerable media attention.² Its reports are published with the consent of the country concerned and all GRECO members adopt a practice of authorising publication.³ GRECO GRECO also issues a Newsletter, and its website is increasingly consulted.

2. See <http://www.coe.int/en/web/greco/greco-in-the-media>

3. See <https://www.coe.int/en/web/greco/evaluations>. GRECO has not received authorisation from the authorities of Belarus to publish any of its reports in respect of that country.

FEATURED ESSAY

Corruption and Human Rights – Exploring the Relationship

Matthew C. Stephenson,
Eli Goldston Professor of Law, Harvard Law School

What is the relationship between the fight against corruption and the fight for human rights? Participants in the international human rights movement and the international anticorruption movement, which have traditionally been separate, have increasingly recognised that these causes are intertwined. Indeed, it has become commonplace to hear activists, politicians, and others declare that corruption is a human rights issue. But the relationship between corruption and human rights is complex and multifaceted, and worth unpacking. We can and should support both anticorruption efforts and the protection of human rights. But why is it useful and important to think about these issues together? And what of consequence follows from framing anticorruption as a human rights issue?

Perhaps the place to start, in answering these questions, is with the ways in which corruption may contribute to human rights violations. Most straightforwardly, some forms of corruption, by their nature, directly result in the violation of recognised human rights. For example, when a litigant bribes a judge for a favourable verdict, the other litigant has been deprived of the right to a fair trial. When a police officer makes an unjustified arrest because the arrestee refused the officer's demand for an illicit payment, the corrupt officer has deprived a citizen of his or her right to be free from arbitrary arrest. And in the case of positive human rights which require public spending – such as the human rights to minimally adequate housing, to education, and to a clean and healthy environment – corrupt misappropriation of funds can undermine the realisation of these rights. For similar reasons, corruption can undermine the regulatory systems that are necessary to realise these positive rights, as when polluting firms bribe environmental regulators or slumlords bribe safety inspectors.

These and similar examples illustrate how corruption may often be the proximate cause of a violation of human rights. But there are other, more structural ways in which corruption may contribute to the erosion of human rights. Perhaps most importantly, genuine respect for certain human rights may make it more difficult for powerful elites to abuse their power to secure ongoing access to illicit wealth. After all, while the core justification for respecting human rights is the intrinsic dignity of all human beings, the protection of certain human rights (such as the rights to free speech, to a fair trial by an impartial judiciary, to assemble, to join associations, and to engage in political activity) also has the important instrumental benefit of keeping the government honest and accountable. For this reason, corrupt governments or officials may engage in serious human rights violations – for example, by suppressing free speech and the free press, harassing or even imprisoning opposition figures and others who pose a political threat, and depriving citizens of their rights to organise and advocate for their interests – not so much out of ideological motivations, but out of a desire to ensure that corruption can continue unchecked.

For these reasons, corruption may be a root cause, or at least a contributing cause, of many human rights violations in the modern world. It is therefore unsurprising that, on the whole, countries that are perceived as less corrupt typically have a better overall record of protecting human rights. Nevertheless, the relationship between anticorruption and human rights is not always quite so straightforward. In some cases, aggressive government efforts to combat corruption have, at least arguably, produced some tension with important human rights commitments. After all, human rights are supposed to protect citizens from abusive exercises of government power, especially though not exclusively in the context of criminal proceedings. Respect for such rights therefore constrains anticorruption efforts, particularly in the context of criminal law enforcement. Many governments based on democracy and the rule of law might be understandably reluctant, on human rights grounds, to give anticorruption investigators and prosecutors the same powers as those wielded by governments of a more authoritarian nature – even if granting an anticorruption agency such sweeping powers might make it more effective in suppressing corruption. A similar tension may arise in the context of judicial reform. In many countries beset with longstanding corruption, the judiciary is itself quite corrupt, and reformers might therefore seek to overhaul the courts, removing judges whose integrity is questionable and generally subjecting the judiciary to more parliamentary oversight. But such measures may raise concerns about potential threats to the principle of judicial independence – a principle generally considered crucial to the protection of human rights.

Various other anticorruption measures may similarly provoke resistance on human rights-related grounds. For example, some argue that “illicit enrichment” laws, which can require covered individuals (usually public officials and their families) to prove the lawful origin of their assets, are inconsistent with the presumption of innocence. Travel bans and other targeted sanctions are sometimes alleged to violate due process. And some critics object to various financial transparency measures as violations of the right to personal privacy. Many people find some or all of these specific objections unpersuasive. The larger point, though, is that just as respect for human rights can complicate and sometimes impede government efforts to suppress other forms of unlawful activity – such as terrorism – so too can the interest in respecting human rights sometimes come into tension with the interest in maximising the effectiveness of anticorruption initiatives. Yet that is an even stronger reason for the anticorruption movement and the international human rights movement to be in dialogue.

So, corruption can sometimes be the proximate cause of human rights violations; certain human rights protections can advance an anticorruption agenda (and for that reason, corrupt governments may have an interest in violating these human rights); and an aggressive anticorruption agenda can sometimes conflict with other important human rights interests. In addition to these aspects of the corruption-human rights relationship, some have suggested more broadly that corruption itself ought to be considered a human rights violation. This argument is distinct from the widely accepted claim, noted above, that corruption may sometimes directly produce a human rights violation (as when a judge’s acceptance of a bribe from one litigant deprives the other litigant of the right to a fair trial). The more ambitious claim, advanced by some scholars and activists, is that there ought to be an internationally recognised “right to a corruption-free government.” On this view, corruption – or at least some forms of corruption – should be considered as a human rights violation even if this corruption cannot be directly connected to other human rights violations. This intriguing suggestion has not yet gotten much traction, and it invites many questions regarding the precise specification of the right and its mechanism for enforcement.

A broader question that proposals along these lines raise concerns why, exactly, it is valuable to frame corruption as a human rights issue. Raising this question is not meant to deny that corruption often produces or worsens human rights violations. But corruption has many adverse effects – economic, political, social, and beyond. Moreover, it would be possible to discuss the threat that corruption poses to security, fairness, freedom, and welfare without using the language of human rights. Indeed, the UN Convention Against Corruption, while expressly noting the threat that corruption poses to “the stability and security of societies, ... the institutions and values of democracy, ethical values and justice and ... sustainable development of the rule of law,” does not mention human rights explicitly. (The term “human rights” is used once, in passing, in Secretary General Kofi Annan’s Forward to the Convention.) Similarly, while the preambles to the Council of Europe’s Civil and Criminal Law Conventions on Corruption, instruments that date from 1999, mention human rights briefly in the list of values that corruption threatens, these Conventions do not generally use a human rights frame or vocabulary, nor do they directly reference other human rights conventions or instruments. Some activists have been calling for an explicit and deliberate reframing of the basis for anticorruption efforts that would put human rights front and centre. What might be gained from doing so?

There are at least two possibilities, one legal-institutional, and one rhetorical. As a legal-institutional matter, recognising corruption as a human rights violation might mean that the various existing international mechanisms for protecting human rights – conventions, committees, courts, and the like – could address corruption directly and generally, rather than addressing corruption issues only when they can be framed as explicitly linked to other more traditional human rights violations. As a rhetorical matter, some believe that corruption is all too often seen as a narrowly economic problem, or a problem of public ethics, and that explicitly framing corruption as a human rights issue will increase the salience and perceived urgency of the anticorruption fight.

Both of these claims are intriguing but contestable. As a legal-institutional matter, it is not clear that existing human rights bodies are well-equipped to tackle corruption claims that are not directly tied to an identifiable violation of a more traditional individual right. Some sceptics therefore worry that adding anticorruption to the agenda of these already overburdened bodies may prove counterproductive. As for claims about the rhetorical impact of using human rights language to discuss anticorruption, it may well be true that for certain audiences, framing an issue – here corruption – as a human rights issue will increase that issue’s political salience and moral weight. But this is not universally true. In some countries, the language of human rights is more divisive and controversial than the language of anticorruption (framed as a moral and/or economic issue). If and when that is so, it could be a political mistake to frame the anticorruption agenda as part of the international human rights agenda. To be clear, raising these grounds for scepticism is not necessarily to endorse them. But acknowledging the sceptical view calls attention to the fact that the question whether

anticorruption activists ought to place greater emphasis on the human rights dimension of anticorruption, or perhaps even urge the recognition of an international human right to a corruption-free government, is not merely, or even primarily, a question about the gravity of corruption's harms. It is, rather, a question about institutional and political strategy.

These strategic questions are important and worthy of further discussion and debate. But the larger point is that the interdependence of the anticorruption and human rights movement has become increasingly clear. One might be tempted to assert that the fight against corruption and the struggle for human rights are one and the same. There is some truth to this, but as this essay has also noted, the relationship between human rights and anticorruption is more complex and nuanced. Better understanding these complexities – appreciating how efforts to protect human rights and efforts to suppress corruption may be mutually reinforcing, but also recognising how these agendas may sometimes come into conflict – will help advocates work together more effectively to advance both movements.

FRAMEWORK FOR GRECO'S ONGOING WORK

Council of Europe anti-corruption standards

The three unique treaties developed by the Council of Europe deal with corruption from the point of view of criminal, civil and administrative law. Corruption is seen not only as a threat to international business and to financial interests, but to the values of democracy, human rights and the rule of law that are upheld by the Council of Europe. The [Criminal Law Convention on Corruption](#) (ETS No. 173) sets out common standards for corruption offences – among others, the establishment of criminal offences for active and passive bribery (as well as aiding and abetting in such offences) of domestic public officials, domestic public assemblies, foreign public officials, foreign public assemblies, members of international parliamentary assemblies and judges and officials of international courts; for active and passive bribery in the private sector and for trading in influence. Parties to the convention are required to provide for corporate liability, the protection of collaborators of justice and witnesses, and to establish in respect of the above offences effective, proportionate and dissuasive sanctions. An [Additional Protocol](#) to ETS No. 173 (ETS No. 191) requires the establishment of criminal offences for active and passive bribery of domestic and foreign arbitrators and jurors.

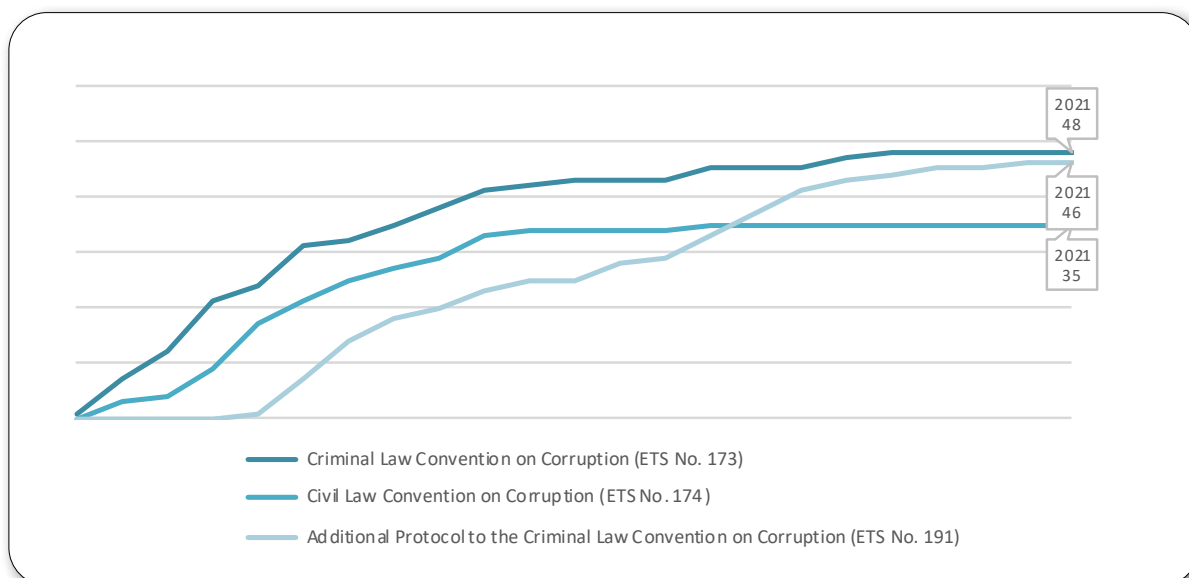
The [Civil Law Convention on Corruption](#) (ETS No. 174) deals with compensation for damage, liability, contributory negligence, limitation periods, the validity of contracts, protection of employees, accounts and auditing, the acquisition of evidence, interim measures and international co-operation in relation to corruption defined as “requesting, offering, giving or accepting, directly or indirectly, a bribe or any other undue advantage or prospect thereof, which distorts the proper performance of any duty or behaviour required of the recipient of the bribe, the undue advantage or the prospect thereof”.

Accession by any state to either the Criminal Law or Civil Law Convention on Corruption leads automatically to becoming a member of GRECO. Following a request by the country, in October 2021 the Committee of Ministers of the Council of Europe invited Morocco to accede to both conventions.

Within GRECO, the same evaluation criteria and level of detailed scrutiny apply to states whether they have ratified these treaties or not. To date, two GRECO member states have not yet ratified the Criminal Law Convention on Corruption (ETS No. 173) and four have not yet ratified the Additional Protocol to the Criminal Law Convention on Corruption (ETS No. 191)

It is regrettable that at end 2021, 15 GRECO member states had still not ratified the Civil Law Convention on Corruption (ETS No. 174) despite its importance for the public, private (business) and not-for-profit sectors. Figure 3 shows that the impetus of the ratification process essentially stalled 10 years ago, and GRECO might decide in due course to revive that process e.g., through specific measures to promote the Convention, or by basing a future evaluation round on the Convention. Likewise, while it is not a treaty that GRECO evaluates, it is regrettable that the number of parties to the Council of Europe Convention on the Manipulation of Sports Competitions (CETS No. 215) remains very low (seven) even though corruption and integrity cases affecting sports events, and competition-related business more generally, have never been so frequently and prominently in the public eye.

Figure 3 – Ratification of Council of Europe Anti-corruption Conventions 1999-2021



Council of Europe Treaty Office: www.conventions.coe.int

The treaties are complemented by the following legal instruments::

- ▶ **Twenty Guiding Principles** for the fight against Corruption (Committee of Ministers Resolution (97) 24)
- ▶ Recommendation on **Codes of Conduct for Public Officials** (including a model code) (Committee of Ministers recommendation to member States No. R(2000) 10)
- ▶ Recommendation on **Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns** (Committee of Ministers recommendation to member States Rec(2003)4)

Furthermore, the Committee of Ministers has drawn GRECO's attention to anti-corruption components of other legal instruments and advisory texts that it can take into account in its work, for example:

- ▶ Convention on the **Manipulation of Sports Competitions** (CETS No. 215)
- ▶ Recommendation on the **Protection of Whistleblowers** (Committee of Ministers recommendation to member States CM/Rec(2014)7)
- ▶ Consultative Council of European Prosecutors Opinions: **European Norms and Principles concerning Prosecutors** (Rome Charter CCPE Opinion No. 9), **Independence, accountability and ethics of prosecutors** (CCPE Opinion No. 13), **The role of prosecutors in fighting corruption and related economic and financial crime** (CCPE Opinion No. 14)
- ▶ Consultative Council of European Judges Opinions: **The Position of the Judiciary and its Relations with other Powers of State in a Modern Democracy** (CCJE Opinion No. 18), **Preventing corruption among judges** (CCJE Opinion No. 21), **The evolution of the Councils for the Judiciary and their role in independent and impartial judicial systems** (CCJE Opinion No. 24)
- ▶ Recommendation on **the Legal Regulation of Lobbying Activities in the Context of Public Decision-making** (Committee of Ministers recommendation to member States CM/Rec(2017)2)

Methodology – Evaluation

GRECO evaluation procedures involve the collection of information through questionnaire(s), on-site country visits enabling evaluation teams to solicit further information during high-level discussions with domestic key players and practitioners, and the drafting of evaluation reports. These reports provide an in-depth analysis of the situation in each country and are examined and adopted by GRECO during its plenary meetings. Evaluation reports state whether legislation and practice comply with the provisions under scrutiny and address recommendations to member states when action is required. The authorities are asked to report subsequently on the measures taken, which are then assessed by GRECO under a separate compliance procedure.

Methodology – Compliance

In the compliance procedure, GRECO monitors the implementation of the recommendations it has issued to the country in the evaluation report. The assessment of whether a recommendation has been implemented satisfactorily, partly or has not been implemented is based on a situation report, accompanied by supporting documents, submitted by the member under scrutiny. In cases where not all recommendations have been complied with, GRECO will re-examine outstanding recommendations. Compliance reports adopted by GRECO also contain an overall conclusion on the implementation of all the recommendations, the purpose of which is to decide whether to close or continue the compliance procedure in respect of a particular member. For the 5th Evaluation Round, if at least two-thirds of the recommendations have been implemented satisfactorily or dealt with in a satisfactory manner, GRECO shall close the compliance procedure. The Rules of Procedure of GRECO foresee a special procedure, based on a graduated approach, for dealing with members whose response to GRECO's recommendations has been found to be globally unsatisfactory. These Rules also include a provision allowing GRECO to act on an *ad hoc* basis when an institutional reform, legislative initiative or procedural change by a member state might result in a serious violation by that member of a Council of Europe anti-corruption standard.

Evaluation Rounds⁴

GRECO's monitoring work is organised in rounds. Each has its own thematic scope and makes reference to a range of Council of Europe standard-setting texts of pertinence to the issues examined.

5th Evaluation Round (launched on 1 January 2017)

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

Central government (top executive functions)

- ▶ System of government and top executive functions
- ▶ Anticorruption and integrity policy, regulatory and institutional framework
- ▶ Transparency and oversight of executive activities of central government
- ▶ Conflicts of interest
- ▶ Prohibition or restriction of certain activities
- ▶ Declaration of assets, income, liabilities and interests
- ▶ Accountability and enforcement mechanisms

Law enforcement agencies

- ▶ Organisation and accountability
- ▶ Anticorruption and integrity policy
- ▶ Recruitment, career and conditions of service
- ▶ Conflicts of interest
- ▶ Prohibition or restriction of certain activities
- ▶ Declaration of assets, income, liabilities and interests
- ▶ Oversight and enforcement

4th Evaluation Round (2012-2017)

Prevention of corruption in respect of members of parliament, judges and prosecutors

- ▶ Ethical principles and rules of conduct (all)
- ▶ Conflicts of interest (all)
- ▶ Recruitment, career and conditions of service (judges and prosecutors)
- ▶ Transparency of the legislative process (members of parliament)

4. See <https://www.coe.int/en/web/greco/evaluations>

- ▶ Remuneration and economic benefits (members of parliament)
- ▶ Prohibition or restriction of certain activities (all)
- ▶ Declaration of assets, income, liabilities and interests (all)
- ▶ Supervision and enforcement of rules and regulations (all)
- ▶ Advice, training and awareness (all)

3rd Evaluation Round (2007-2012)

Theme I: Incriminations

- ▶ Essential concepts to be captured in the definition of passive and active bribery offences as well as trading in influence
- ▶ Limitation periods
- ▶ Jurisdiction
- ▶ Special defences

Theme II: Political funding

- ▶ Transparency of books and accounts of political parties and election campaigns
- ▶ Monitoring of party and campaign funding
- ▶ Enforcement of the relevant funding rules

2nd Evaluation Round (2003-2006)

- ▶ Identification, seizure and confiscation of corruption proceeds
- ▶ Public administration and corruption (auditing systems, conflicts of interest, reporting of corruption and whistle-blower protection)
- ▶ Prevention of legal persons being used as shields for corruption
- ▶ Fiscal and financial legislation to counter corruption
- ▶ Links between corruption, organised crime and money laundering.

1st Evaluation Round (2000-2003)

- ▶ Independence, specialisation and means available to national bodies engaged in the prevention and fight against corruption
- ▶ Extent and scope of immunities from criminal liability.

Members that join GRECO after the close of an evaluation round undergo evaluations on the themes of previous rounds before joining the current one, starting with the first two rounds that are restructured into *Joint 1st and 2nd Round Evaluations*.

Publication of reports

Raising awareness of GRECO's findings across society prompts domestic debate and support for the implementation of its recommendations. The long-standing practice whereby GRECO member states – with rare exceptions – lift the confidentiality of reports shortly after their adoption and translate them into national languages goes well beyond what was originally provided for in the Rules of Procedure. The release of a report for publication is co-ordinated with the member state concerned and the Directorate of Communication of the Council of Europe to maximise media attention; this helps raise awareness in society and the institutions concerned about the expected reforms, which can in turn contribute to increasing support for their adoption and implementation. In the rare case that a country persistently does not authorise the publication of a report, GRECO has decided to publish a summary of it (e.g., Belarus in 2014, 2015, 2016 and 2017). In respect of the same member state, GRECO published a declaration of non-compliance in the Joint 1st and 2nd Round in 2019.

5th EVALUATION ROUND – PARAMETERS

The ongoing 5th Evaluation Round that is devoted to *Corruption prevention and promoting integrity in central governments (top executive functions) and law enforcement agencies* constitutes a logical extension to the 4th Round with its implications for shaping citizens' attitudes vis-à-vis their political institutions and democracy in general. Furthermore, law enforcement authorities form a cornerstone of the fight against corruption and their integrity is therefore fundamental. However, experience shows that the specific risk factors involved in the work of law enforcement agencies warrant careful attention.

For the purpose of the 5th Evaluation Round, the term "central government" includes persons who are entrusted with top executive functions at national level (PTEFs). Bearing in mind each country's constitutional set-up,⁵ these functions might include those of heads of state, heads of central government, members of central government (e.g., ministers), as well as other political appointees who exercise top executive functions, such as deputy ministers, state secretaries, heads/members of a minister's private office (*cabinet ministériel*) and senior political officials. This might include political advisors, depending on the system of the country. Where political advisors are not evaluated in their own right, information about their interactions with PTEFs is nevertheless examined. Prior to the evaluation, the member state concerned is requested to submit a comprehensive and precise list of the "top executive functions" exercised by the head of state and by the head of the central government.

As regards Heads of State, GRECO decided (78th Plenary Meeting, December 2017) on the following definition for the 5th Round: "A Head of State would be covered by the 5th Evaluation Round under "central governments (top executive functions)" when s/he actively participates on a regular basis in the development and/or the execution of governmental functions, or advises the government on such functions. These may include determining and implementing policies, enforcing laws, proposing and/or implementing legislation, adopting and implementing by-laws/normative decrees, taking decisions on government expenditure, taking decisions on the appointment of individuals to top executive functions."

Concerning law enforcement agencies, in the interests of providing a streamlined, in-depth assessment, GRECO's evaluation focuses on officials of selected bodies performing core law enforcement functions who are subject to national laws and regulations – namely police services at national level which may include agencies responsible for border control.⁶ If a country has multiple police services at national level, the evaluation is limited to two or three main services, and prior to the evaluation, on the basis of a reasoned proposal by the member state concerned, GRECO determines which are to be evaluated.

In terms of the methodology and structure of evaluation reports, GRECO adopts a similar approach to that developed in the 4th Round. The questionnaire, which provides the main grid for evaluation, is divided into two parts: part (A) dealing with central governments (top executive functions) and part (B) dealing with selected law enforcement agencies. The first section of each part serves the purpose of generating fundamental input for obtaining an overall understanding of the system in each country.

Emphasis is put on the effective implementation of existing regulations. It is clear that effective corruption prevention relies to a large extent on the realisation of tangible achievements, and it is therefore crucial for GRECO evaluation teams to receive a maximum of information on practical and organisational arrangements, specific examples and statistics on the application of the law, and training, awareness-raising and other initiatives.

5. In this context, the term "constitutional set-up" is to be understood as meaning a country's constitution, practice and specificities.

6. Administrative customs services and tax authorities are excluded from this evaluation.

GOVERNING STRUCTURES AND MANAGEMENT

The permanent bodies constituting GRECO are the Plenary, the Bureau and the Statutory Committee. The Statute also provides for ad hoc bodies, principally evaluation teams but also working parties.

Plenary and Bureau

GRECO elects a President, Vice-President and Bureau for each new evaluation round. The position of President and Vice-President for the 5th Evaluation Round were taken up, in January 2017, by Marin MRČELA, Justice of the Supreme Court of Croatia and, in December 2019, by Monika OLSSON, Director of the Division for Criminal Law of the Ministry of Justice of Sweden, respectively. In 2021, the Bureau was composed of the President, Vice-President, and Panagiota VATIKALOU, Presiding Judge, First Instance Court of Athens (Greece); Aslan YUSUFOV, Office of the Prosecutor General (Russian Federation); Vita HABJAN BARBORIČ, Commission for the Prevention of Corruption (Slovenia); Ernst GNAEGI, Federal Ministry of Justice (Switzerland); and David MEYER, Ministry of Justice (United Kingdom). Ernst GNAEGI left his position as Head of Switzerland's delegation in GRECO and Bureau member at the end of the year. Elections to fill the vacant seat in the Bureau will be held in 2022.

The representatives of member states that compose the Plenary are directly involved in the peer review process during the examination and adoption of evaluation and compliance reports. The Plenary also takes final decisions on the focus of GRECO's monitoring, policy and planning.

Statutory Committee – Budget and Programme of Activities

The Statutory Committee is composed of the Permanent Representatives of the member states to the Council of Europe (the Ministers' Deputies) and representatives of the GRECO member states that are not members of the Organisation (in 2021: Belarus, Kazakhstan and the United States of America). Its principal task is to adopt GRECO's programme and budget which is prepared in line with the method implemented throughout the Council of Europe and based on priorities presented by the Secretary General and on GRECO's annual programme of activities. In 2021, the Statutory Committee elected Nina NORDSTRÖM, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Finland to the Council of Europe, as its President and approved GRECO's Programme in the new quadrennium format implemented in the Organisation for 2022-2025, its Budget for 2022, as well as its Budget for 2023 on a provisional basis.

Secretariat

The Secretariat, headed in 2021 by Hanne JUNCHER, Executive Secretary, provides support, guidance and technical and legal advice to countries participating in GRECO's monitoring work and is responsible for the management of the budget and programme of activities, as well as external relations (cf. Appendix 6).



Exchange of views with Alasdair BELL, Deputy Secretary General of FIFA and Bjørn BERGE, Deputy Secretary General of the Council of Europe



Compliance procedure – Monaco



Presentation – Jesper JOHNSON, Public Sector Integrity Division, OECD



On-site visit – Serbia



Compliance procedure – Netherlands



On-site visit – Montenegro



88th Plenary Meeting – Björn JANSON, Deputy Executive Secretary



On-site visit – Ireland



Compliance procedure – Netherlands

APPENDICES

Appendix 1 – GRECO mission

The anti-corruption monitoring body of the Council of Europe has been operational since 1999. It was established as the result of the strong political will of Council of Europe member states to take decisive and enduring measures to counter corruption by ensuring adherence to, and effective implementation of, the Organisation's anti-corruption standards. The mission of its membership, which extends beyond the geographical span of the Council of Europe, is to promote targeted anti-corruption action, awareness of corruption risks and careful consideration and implementation of reforms to remedy shortcomings in national policies, legislation and institutional set-ups.

The clear stated political objective of strengthening the capacity of member states to prevent and fight corruption is served by a monitoring model designed to provide each member state with a detailed analysis and set of recommendations that are tailored to the specificities of each country. Subsequent "compliance procedures" serve to verify achievements and actively push for alignment with what is recommended. Multiple layers of result validation and a high level of process ownership are salient features of this model, for which the dynamics of mutual evaluation and peer pressure are pivotal.

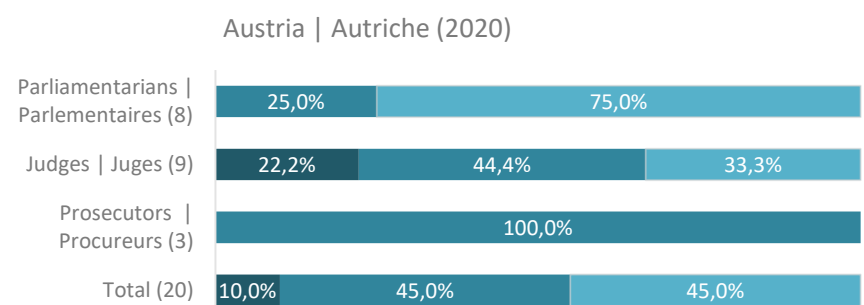
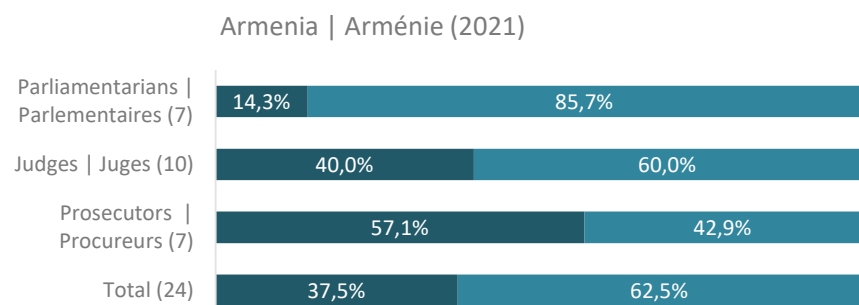
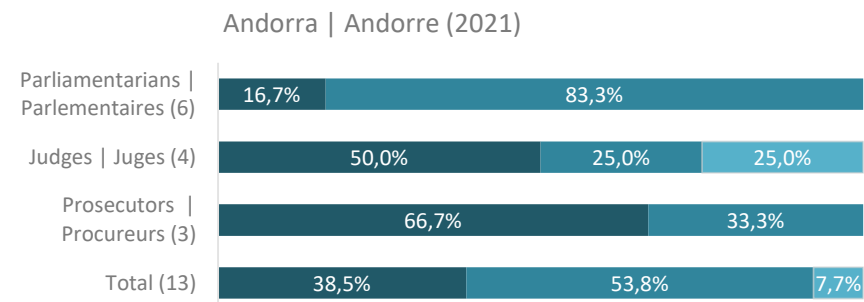
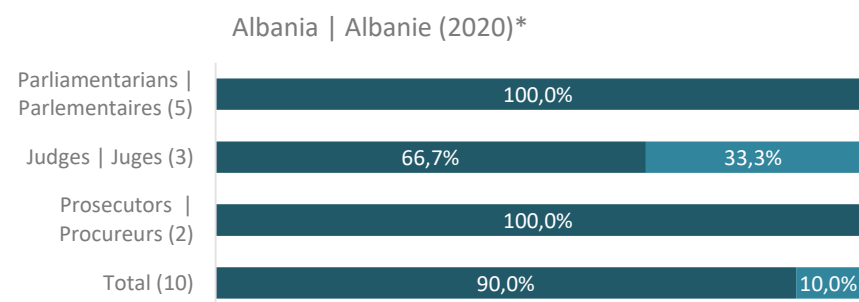
Appendix 2 – Implementation statistics

The tables presented here offer a visual representation of the state of implementation of GRECO's recommendations in respect of its member states individually. The statistics are not intended to be the basis of any ranking or direct comparison between countries when it comes to compliance with GRECO's recommendations or successful action against corruption. The aim is to provide a snapshot of progress made within GRECO's procedures vis-à-vis each member state. Readers should bear in mind that the member states are at different stages of GRECO's procedure for the respective evaluation rounds and that the duration of a monitoring procedure varies – from the baseline evaluation report through the compliance procedure until the closing of the round in respect of a particular state. The statistics take account of all compliance reports made public by end 2021.

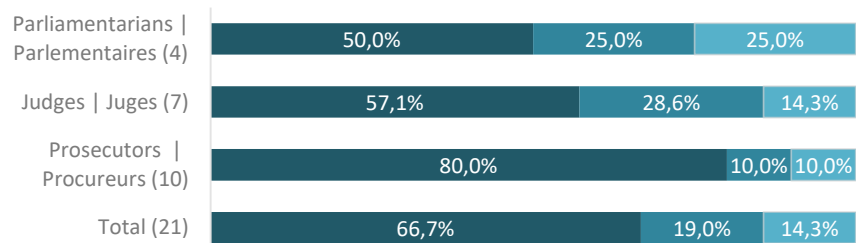
The year indicated is when the most recent published compliance report was adopted. Whenever a round has been closed this is indicated with an *. The figures in brackets correspond to the number of recommendations made in respect of each category.

4th Evaluation Round – Prevention of corruption in respect of members of parliament, judges and prosecutors

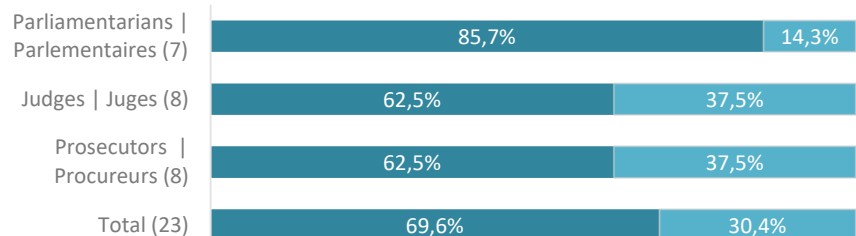
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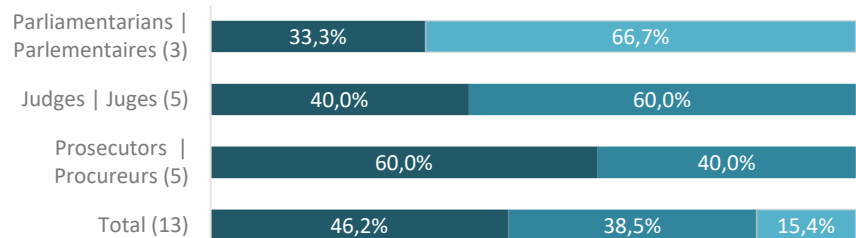
Azerbaijan | Azerbaïdjan (2020)*



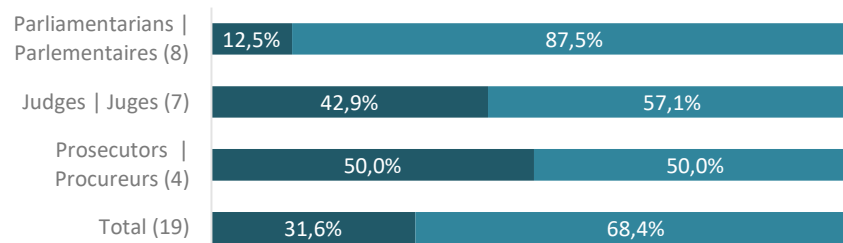
Bosnia and Herzegovina | Bosnie-Herzégovine (2020)



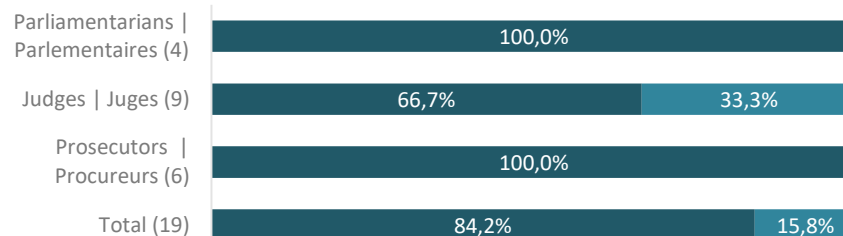
Croatia | Croatie (2020)



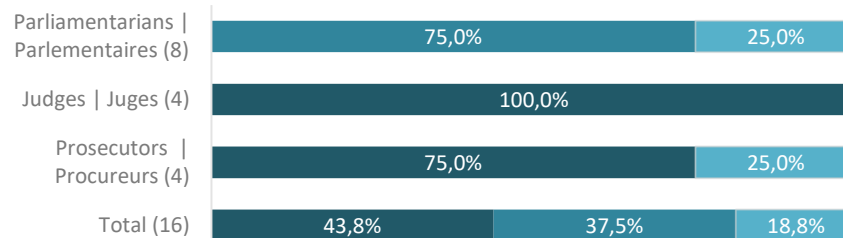
Belgium | Belgique (2021)



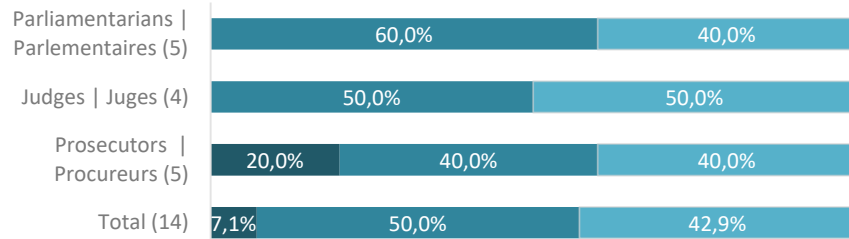
Bulgaria | Bulgarie (2020)*



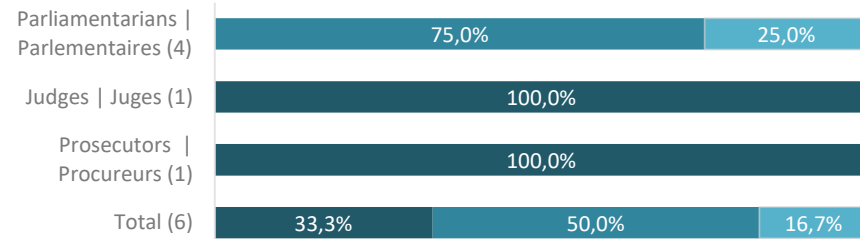
Cyprus | Chypre (2020)



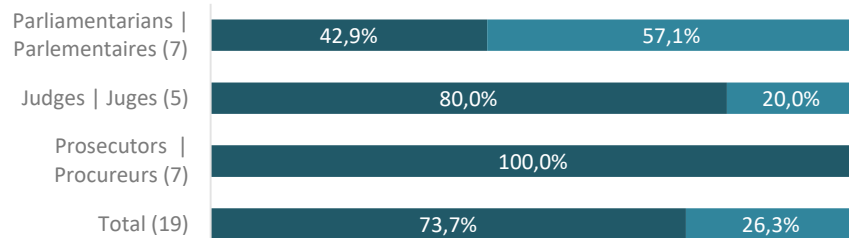
Czech Republic | République tchèque (2019)



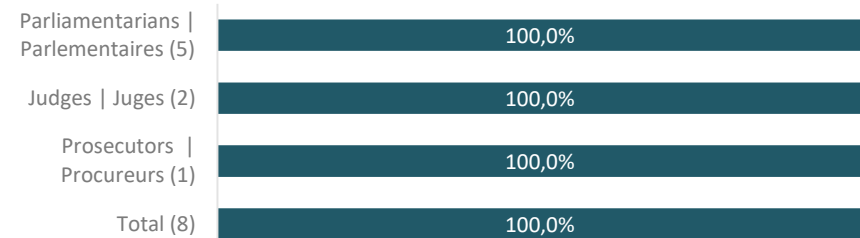
Denmark | Danemark (2021)



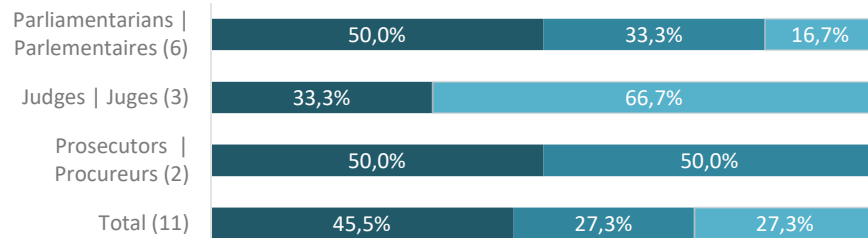
Estonia | Estonie (2017)*



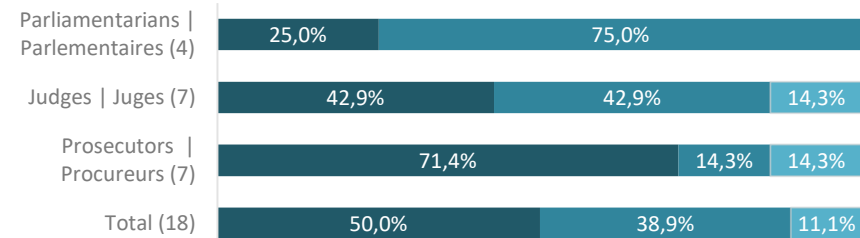
Finland | Finlande (2017)*



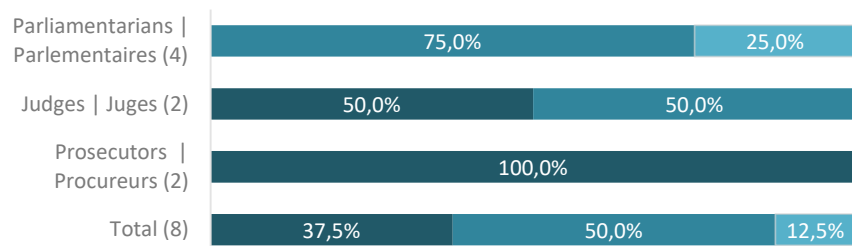
France (2020)



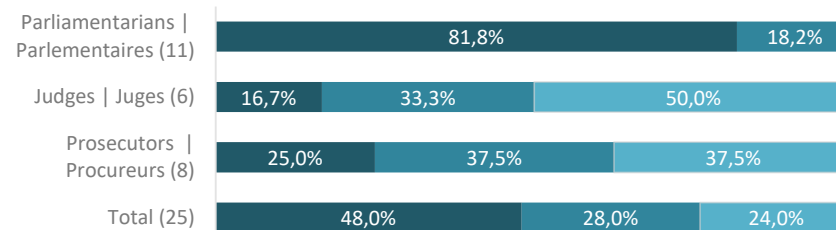
Georgia | Géorgie (2021)



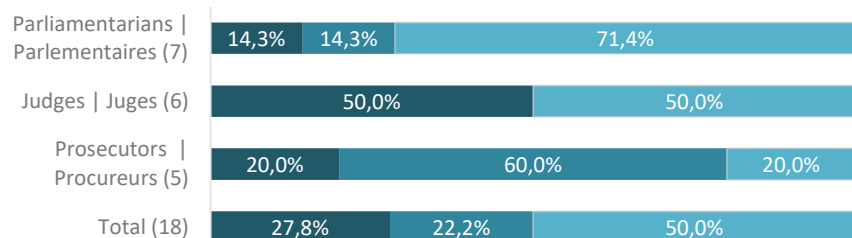
Germany | Allemagne (2021)



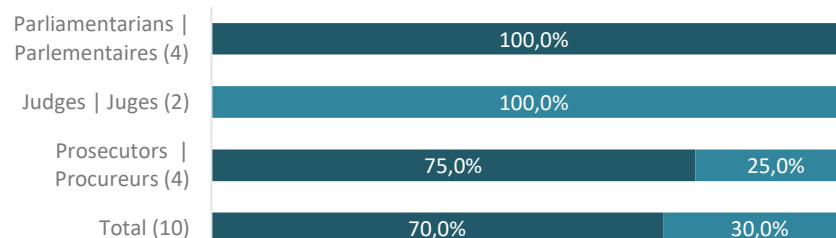
Greece | Grèce (2020)



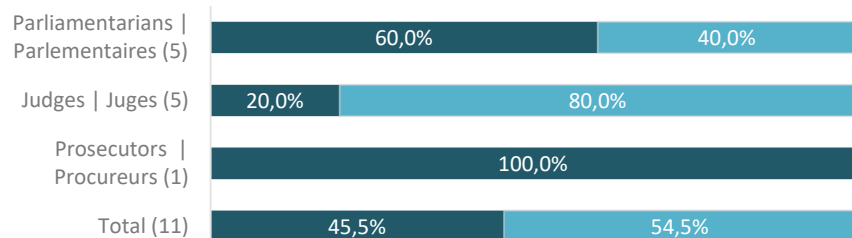
Hungary | Hongrie (2020)



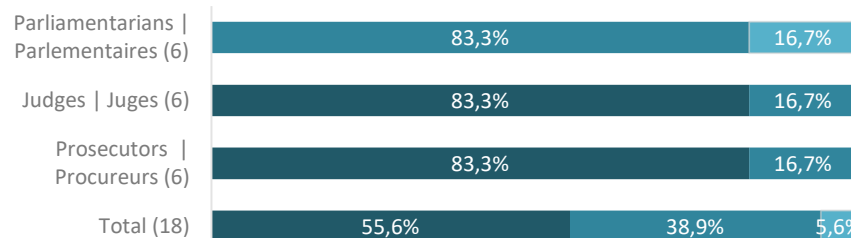
Iceland | Islande (2021)*



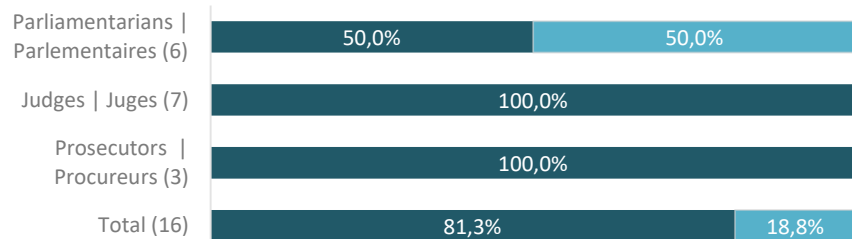
Ireland | Irlande (2020)



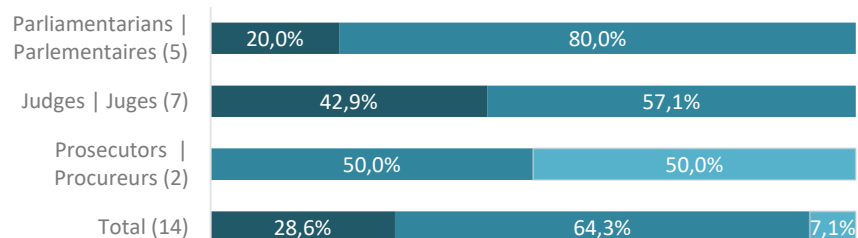
Italy | Italie (2021)



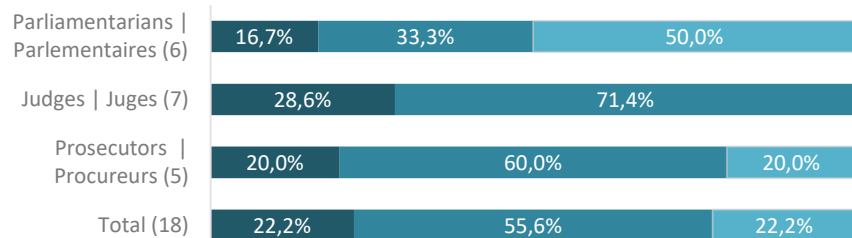
Latvia | Lettonie (2020)*



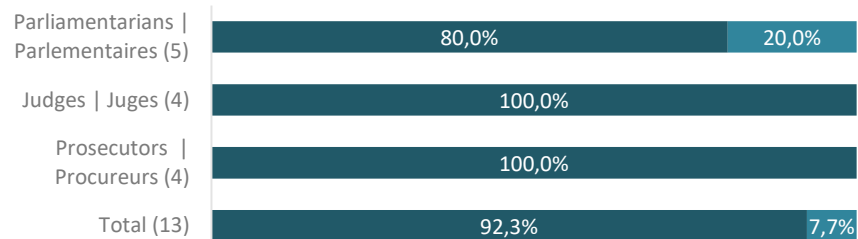
Luxembourg (2020)



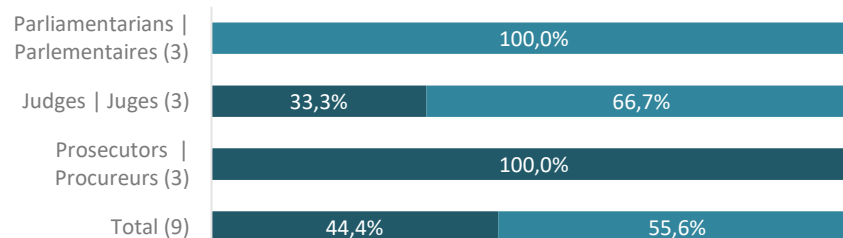
Republic of Moldova | République de Moldova (2020)



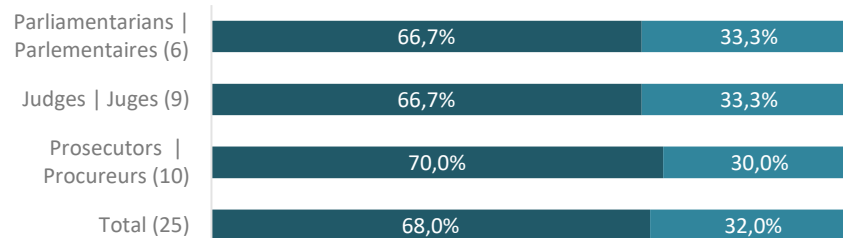
Lithuania | Lituanie (2021)*



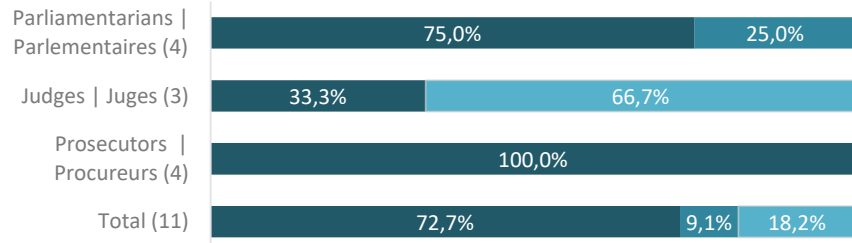
Malta | Malte (2021)



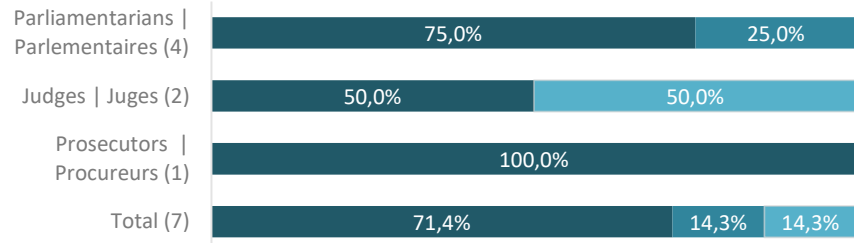
Monaco (2021)



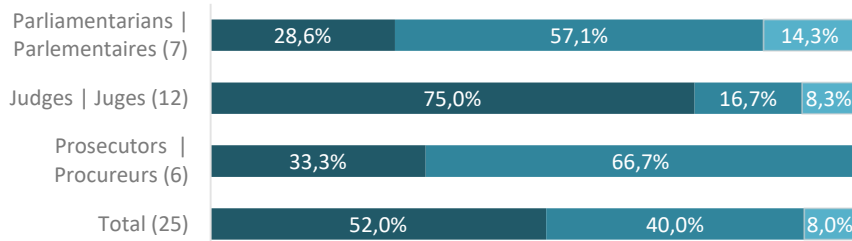
Montenegro | Monténégro (2019)*



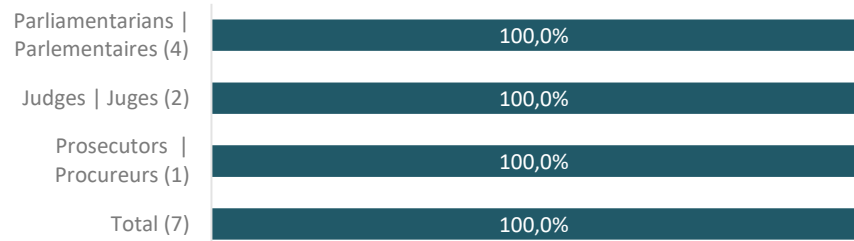
Netherlands | Pays-Bas (2021)*



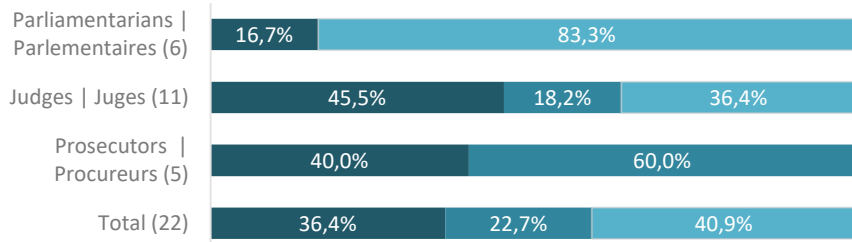
North Macedonia | Macédoine du Nord (2020)



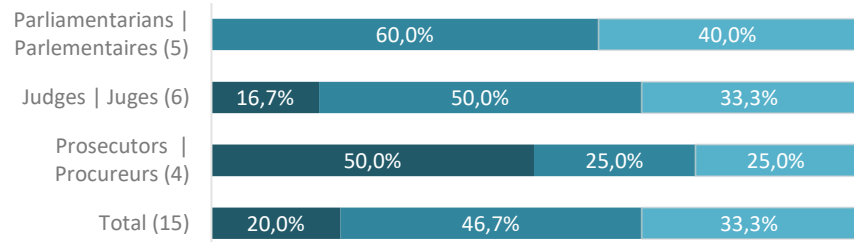
Norway | Norvège (2019)*



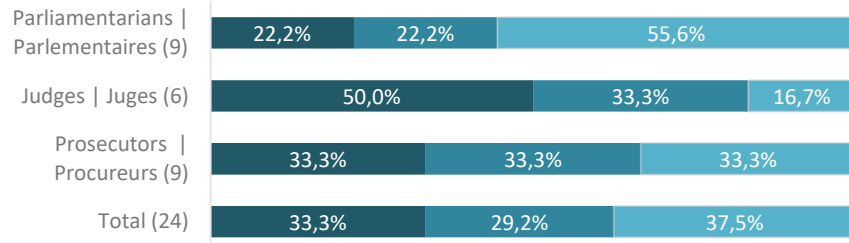
Poland | Pologne (2021)



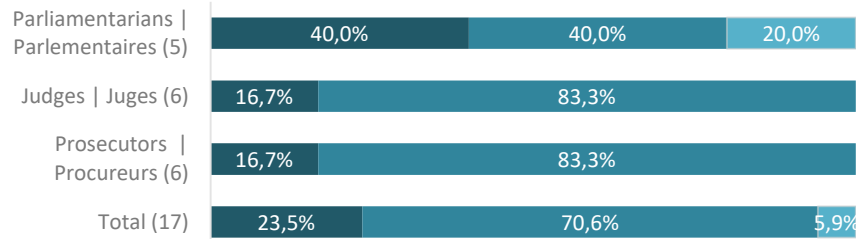
Portugal (2021)



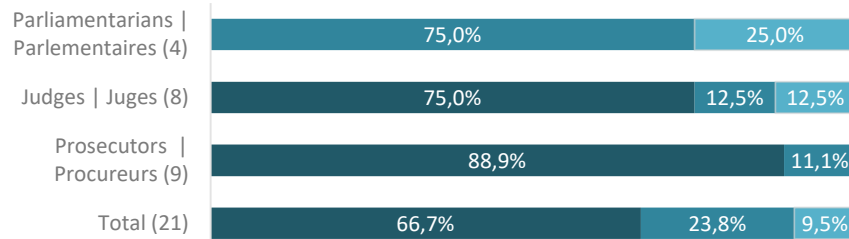
Romania | Roumanie (2021)



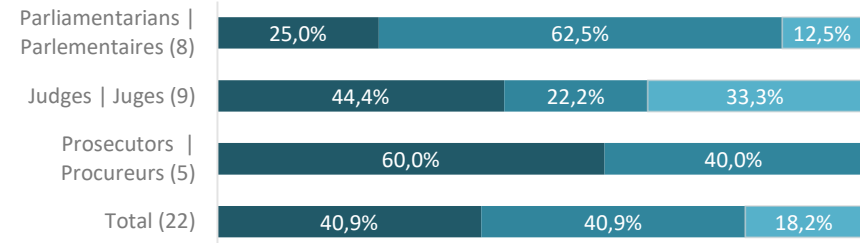
Serbia | Serbie (2020)



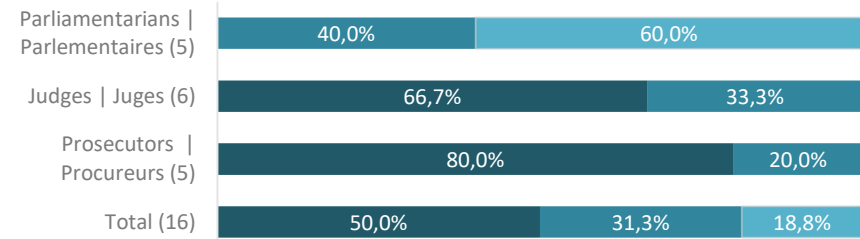
Slovenia | Slovénie (2018)*



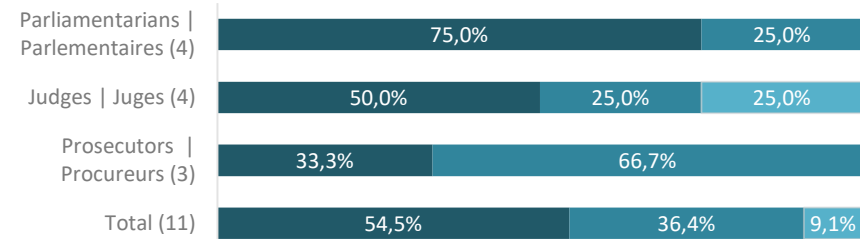
Russian Federation | Fédération de Russie (2019)



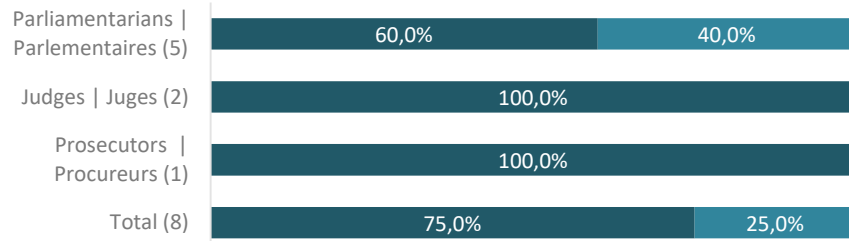
Slovak Republic | République slovaque (2020)*



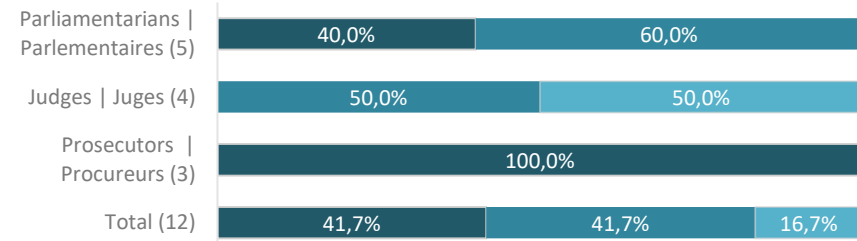
Spain | Espagne (2021)



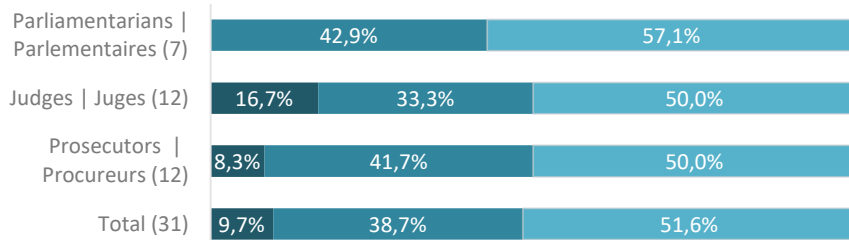
Sweden | Suède (2017)*



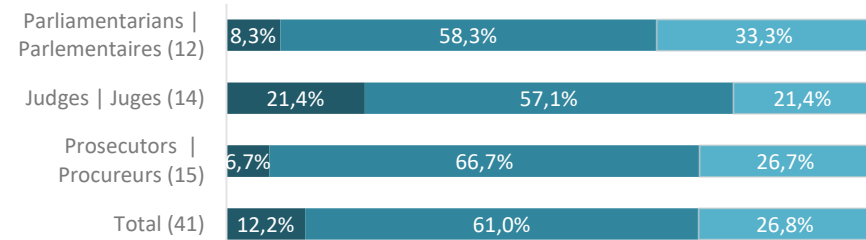
Switzerland | Suisse (2021)



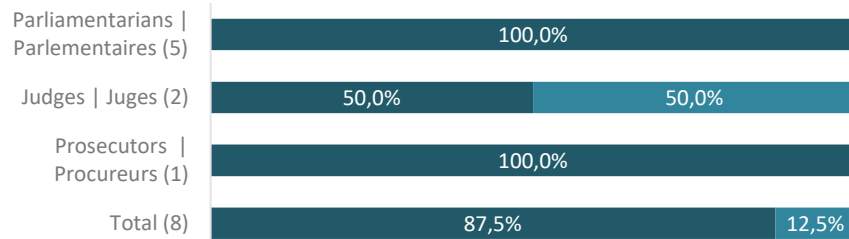
Turkey | Turquie (2020)



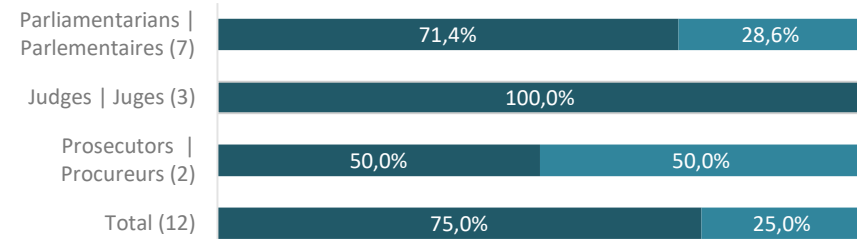
Ukraine (2019)



United Kingdom | Royaume-Uni (2017)*

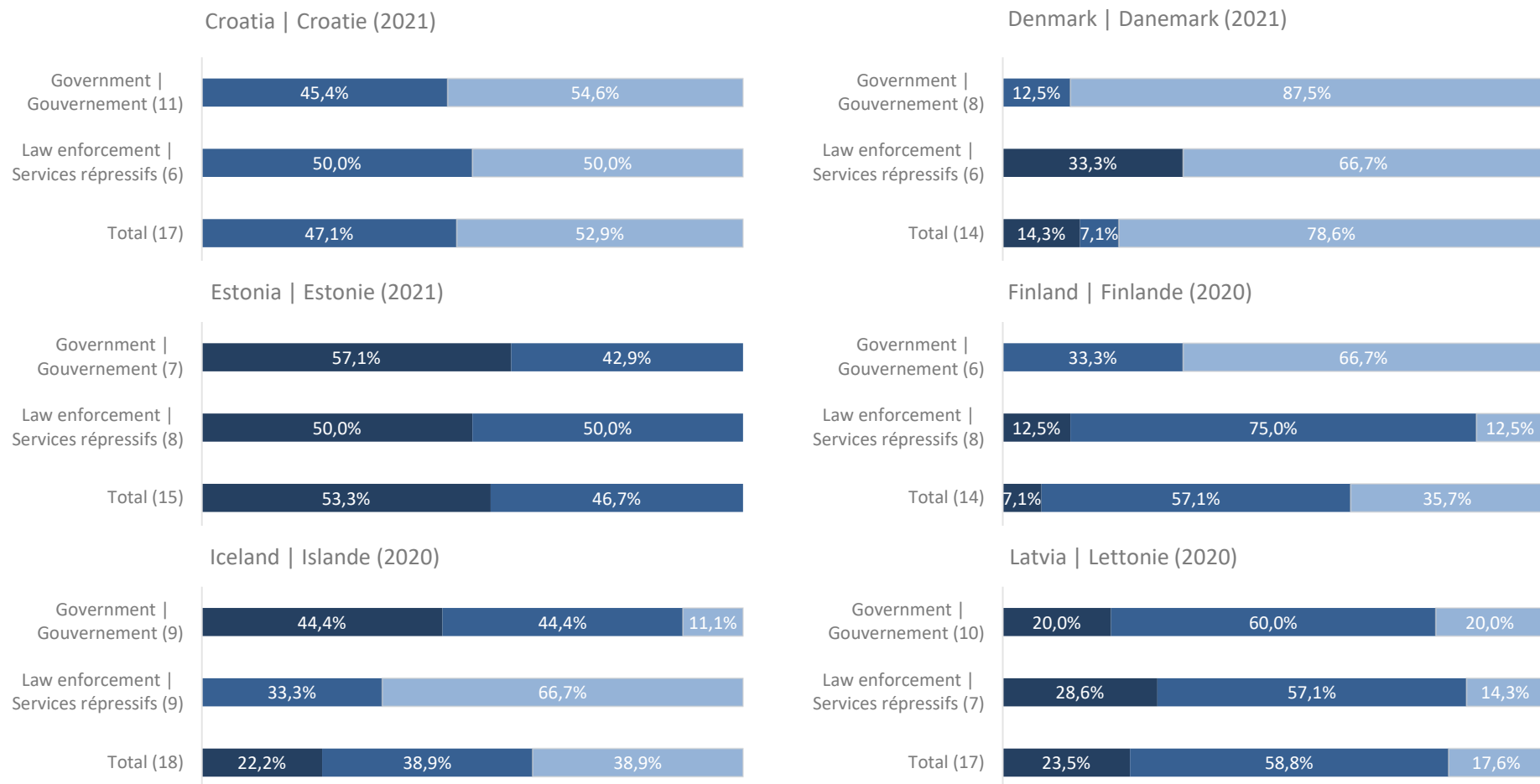


United States of America | Etats-Unis d'Amérique (2021)*

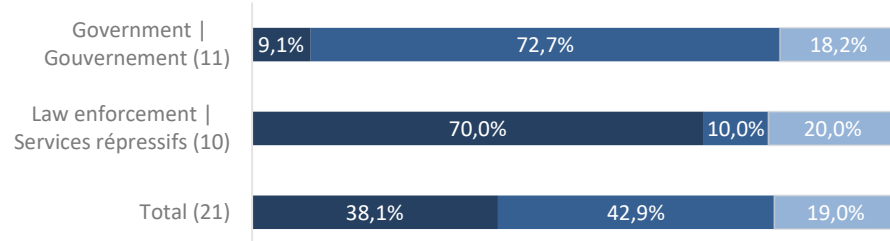


5th Evaluation Round – Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies

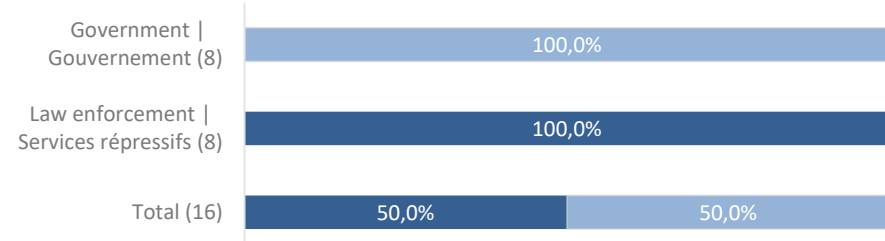
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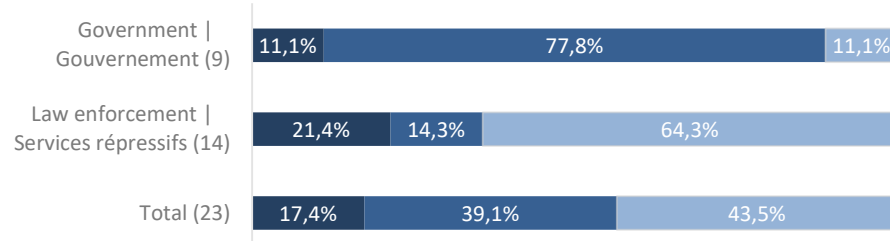
Luxembourg (2020)



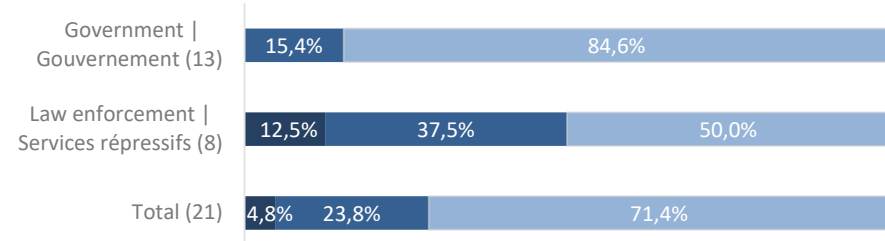
Netherlands | Pays-Bas (2021)



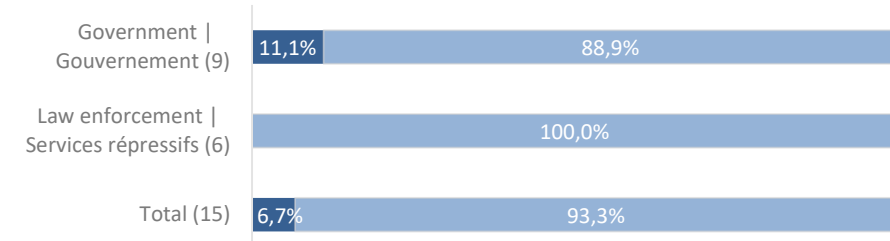
North Macedonia | Macédoine du Nord (2021)



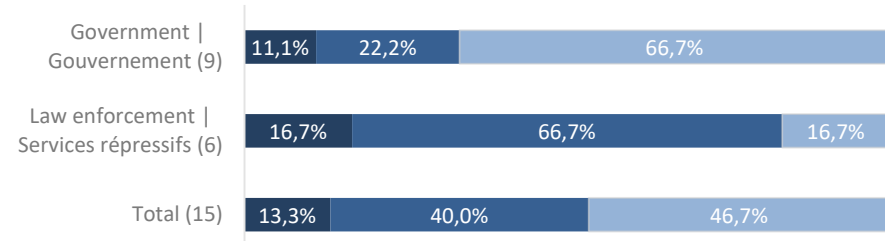
Poland | Pologne (2021)



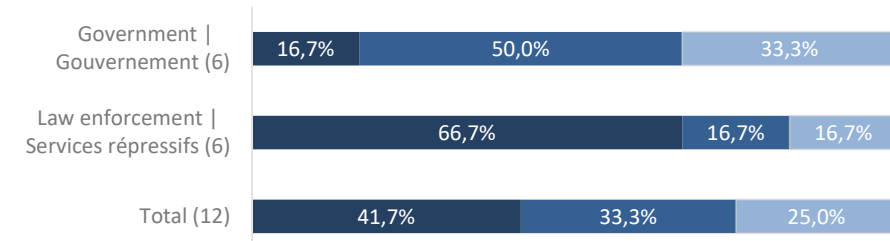
Slovenia | Slovénie (2020)



Sweden | Suède (2021)



United Kingdom | Royaume-Uni (2021)



Appendix 3 – Core programme (2021)

On-site evaluation visits in 2021

5th Evaluation Round

- ▶ Lithuania (14-18 June)
- ▶ Greece (21-25 June)
- ▶ Serbia (6-10 September)
- ▶ Montenegro (27 September-1 October)
- ▶ Hungary (4-8 October)
- ▶ Ireland (25-29 October)

Joint 1st and 2nd Evaluation Rounds

- ▶ Kazakhstan (6-10 September)

Meetings in 2021

GRECO Plenary

- ▶ GRECO 87 (22-25 March)
- ▶ GRECO 88 (20-22 September)
 - Exchange of views with Alasdair BELL, Deputy Secretary General of FIFA and Bjørn BERGE, Deputy Secretary General of the Council of Europe
 - Exchange of views with Katherine ELLENA, Senior Global Adviser, International Foundation for Electoral Systems (IFES) and Laura STEFAN, Executive Director, Expert Forum
- ▶ GRECO 89 (29 November-3 December)
 - Exchange of views with Nina BETETTO, President of the Consultative Council of European Judges (CCJE) of the Council of Europe
 - Exchange of views with Desislava GOTSKOVA, Head of the Secretariat of the Regional Anti-Corruption Initiative (RAI)

GRECO Bureau

- ▶ Bureau 94 (26 February)
- ▶ Bureau 95 (22 April)
- ▶ Bureau 96 (3 September)
- ▶ Bureau 97 (9 November)

GRECO Statutory Committee

- ▶ 30th Meeting – Adoption Programme 2022/2025, Budget 2022, and Budget 2023 on a provisional basis (24 November)

Evaluation reports adopted in 2021

5th Evaluation Round

- ▶ Greece
- ▶ Lithuania

Compliance reports adopted in 2021

5th Evaluation Round compliance procedure

- ▶ Belgium, Croatia, Denmark, Estonia, France, Malta, Netherlands, North Macedonia, Poland, Slovak Republic, Spain, Sweden, United Kingdom – procedures on-going

4th Evaluation Round compliance procedure

- ▶ Georgia, Italy, Malta, Russian Federation, Spain, Switzerland – procedures on-going
- ▶ Iceland, Lithuania, Netherlands, United States of America – procedures closed

Rule 32 – globally unsatisfactory: non-compliance procedure

- ▶ Belgium, Ukraine – Rule 32 procedures opened
- ▶ Armenia, Bosnia and Herzegovina, Denmark, Germany, Hungary, Republic of Moldova, Poland (incorporating Rule 34 follow-up), Romania (incorporating Rule 34 follow-up) – Rule 32 procedures maintained
- ▶ Andorra, Austria, Czech Republic, Monaco, Portugal – Rule 32 procedures closed

3rd Evaluation Round compliance procedure

- ▶ Denmark, Switzerland – procedures on-going

Rule 32 – Globally unsatisfactory: non-compliance procedure

- ▶ Belarus – procedure maintained

Rule 34 – Ad hoc procedure

- ▶ Ad hoc (Rule 34) follow-up report on Greece – procedure closed
- ▶ Ad hoc (Rule 34) follow-up report on Slovenia – procedure closed

Appendix 4 – GRECO delegations (décembre 2021)

GRECO MEMBER STATES/ETATS MEMBRES DU GRECO

ALBANIA / ALBANIE

Ms Adea PIRDENI (Head of delegation)
Deputy Minister
Ministry of Justice

Ms Rovena PREGJA
Head of Unit
Directorate of Programs and Projects in
the field of Anticorruption
Ministry of Justice

Substitut/e
Mr Ismail SHEHU
Director
Directorate of Programs and Projects in
the field of Anticorruption
Ministry of Justice

Substitut/e
Mr Dudi ILIAS
Specialist
Directorate of Programs and Projects in
the field of Anticorruption
Ministry of Justice

ANDORRA / ANDORRE

M^{me} Eva GARCIA LLUELLES (Chef de délégation)
Ministère de la Justice et de l'Intérieur
Relations et coopération internationales dans le domaine
juridique

Substitut/e
Ms Aida GARNICA BARCO
Legal adviser
Ministry of Justice and Interior

ARMENIA / ARMENIE

Ms Kristinne GRIGORYAN (Head of delegation)
Deputy Minister of Justice

Ms Mariam GALSTYAN
Head of Anti-Corruption Policy Development and
Monitoring Department
Ministry of Justice

Substitut/e
Mr Srбуhi GALYAN
Deputy Prosecutor General

AUSTRIA / AUTRICHE

Mr Christian MANQUET (Head of delegation)
Head of Department for Criminal Law
Federal Ministry of Justice

Ms Caroline BACHER
Public Prosecutor
Federal Ministry of Justice

Substitut/e
Ms Verena WESSELY
Head of Unit 2.3 International Cooperation
Federal Bureau of Anti-Corruption
Federal Ministry of the Interior

Substitut/e
Ms Assunta THURNHER-SIGMAIER
Unit 2.3 International Cooperation
Bureau of Anti-Corruption
Ministry of the Interior

AZERBAIJAN / AZERBAIDJAN

Mr Kamal JAFAROV (Head of delegation)
Member of Parliament
Member of State Policy and Legal Building
Committee of Parliament

Substitut/e

Mr Emin NASIBOV
Senior Adviser
Department on work with law enforcement
agencies
President's Office

Mr Elnur MUSAYEV
Head of the Department of Extrajudicial Proceedings
General Prosecutor's Office

Substitut/e

Mr Sabuhi ALIYEV
Head of Preventive Department
Anti-Corruption Department
General Prosecutor's Office

BELARUS

Mr Uladzimir KHOMICH (Head of delegation)
Director
Research and Practical Centre for Problems of
Reinforcing Law and Order
General Prosecutor's Office

Substitut/e

Ms Hanna KARABELNIKAVA
Associate Director
Research and Practical Centre for Problems of
Reinforcing Law and Order
General Prosecutor's Office

Substitut/e

Mr Igor SEVRUK
Head of Department
Supervision over the National Investigative
Committee
General Prosecutor's Office

BELGIUM / BELGIQUE

M. Ricardo PARRONDO RAMOS (Chef de délégation)
Attaché au Service de la Politique Criminelle
Direction générale Législation, Libertés et Droits
Fondamentaux
Service Public Fédéral Justice

Substitut/e

M. Carl PIRON
Attaché au Service de la Politique Criminelle
DG Législation, Libertés et Droits Fondamentaux
Service Public Fédéral Justice (SPF Justice)

M. Jeroen CLARISSE
Conseiller aux affaires juridiques de la Chambre
des représentants
Parlement fédéral

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Adnan DLAKIĆ (Head of delegation)
Expert Adviser for Combating Corruption
Section for Combating Organized Crime & Corruption
Ministry of Security

Mr Nenad EŠPEK
Expert Associate for Combating crime committed
through information and communication
technologies and copyright protection
Section for Combating Organized Crime & Corruption
Ministry of Security

BULGARIA / BULGARIE

Mr Georgi RUPCHEV (Head of delegation)
Counsellor, Justice Unit
Permanent Representation of Bulgaria to the EU

Substitut/e
Mr Florian FLOROV
Chief Expert
Directorate of International Legal Cooperation and
European Affairs
Ministry of Justice

CROATIA / CROATIE

Mr Marin MRČELA
President of GRECO / Président du GRECO
Justice of the Supreme Court

Mr Dražen JELENIĆ (Head of delegation)
Deputy State Attorney General

Substitut/e
Ms Maja VITALJIĆ
Director of the Directorate for European Affairs
International and Judicial Cooperation and
Prevention of Corruption
Ministry of Justice and Administration

Substitut/e
Mr Kršimir SIKAVICA
Head of Sector
Criminal Intelligence Sector
Criminal Police Directorate
General Police Directorate
Ministry of the Interior

CYPRUS / CHYPRE

Ms Alexia KALISPERA (Head of delegation)
Counsel of the Republic A'
The Law Office of the Republic

Ms Rena PAPAETI-HADJICOSTA
Attorney of the Republic
The Law Office of the Republic

Substitut/e
Ms Theodora PIPERI-CHRISTODOULOU
Counsel of the Republic A'
The Law Office of the Republic

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Ms Helena KLIMA LIŠUCHOVÁ (Head of delegation)
Junior Deputy Minister in charge of
International Affairs
Ministry of Justice

Ms Johana TREŠLOVÁ
Senior Ministerial Counsellor
Conflict of Interest and Anti-Corruption Department
Ministry of Justice

Substitut/e
Ms Kristina KRÁL
Senior Ministerial Counsellor
Methodology and Conflict of Interest Control Unit
Conflict of Interest and Fight Against Corruption
Department
Ministry of Justice

Substitut/e
Ms Barbora HOLUŠOVÁ
Senior Ministerial Counsellor
International Cooperation and EU Department
Ministry of Justice

DENMARK / DANEMARK

Mr Anders Dyrvig RECHENDORFF
(Head of Delegation)
Senior Prosecutor
State Prosecutor for Serious Economic and
International Crime
International Unit

Mrs Karen Moestrup JENSEN
Special prosecutor
State Prosecutor for Serious Economic and
International Crime

Substitut/e
Mr Andreas LAURSEN
Senior Prosecutor
State Prosecutor for Serious Economic and
International Crime

Substitut/e
Mr Jacob Gøtze PEDERSEN
Chief Legal Advisor
State Prosecutor for Serious Economic and
International Crime

ESTONIA / ESTONIE

Ms Mari-Liis SÖÖT (Head of delegation)
Head of Analysis Division
Criminal Policy Department
Ministry of Justice
International Unit

Ms Kätlin-Chris KRUUSMAA
Advisor, Analysis Division
Criminal Policy Department
Ministry of Justice

Substitut/e
Ms Anu KÄRTNER
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Appendix 5 – Contacts and outreach (2021)

European Union (EU)

- ▶ European Parliament LIBE Committee on Civil Liberties, Justice and Home Affairs – Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG) (5 February) – Secretariat
- ▶ European Parliament Committee on Civil Liberties, Justice and Home Affairs – European Commission 2020 Rule of Law Report – preparatory meeting with stakeholders (15 March) – Secretariat
- ▶ European Commission Network of Rule of Law Contact Points (25 May) – Secretariat
- ▶ Bilateral discussions at the request of the European Commission, DG NEAR (27 May) – Secretariat
- ▶ European Parliament Committee on Budgetary Control *Workshop on the EU's current role in GRECO and ambitions for the future: how to move towards full membership* (14 June) – President, Secretariat
- ▶ Meeting with the office of the European Ombudsman on “revolving doors” (10 September) – Secretariat
- ▶ European Parliament Subcommittee on Human Rights on the relationship between fighting corruption and the protection of human rights (17 June) – Secretariat
- ▶ Exchange of views with the European Court of Auditors on conflicts of interest (4 November) – Secretariat
- ▶ European Parliament Democracy, Fundamental Rights and Rule of Law Monitoring Group – exchange with the LIBE Committee Working Group on Rule of Law – latest developments in Slovakia (27 November) – Secretariat
- ▶ Meetings of the *Article 36 Committee* (CATS) (18 June, 6 December) – Secretariat

International Partnership against Corruption in Sport (IPACS)

- ▶ IPACS Steering Committee (8 November) – Vice-President

Organisation for Economic Co-operation and Development (OECD)

- ▶ Anti-Corruption Network for Eastern Europe and Central Asia (ACN) webinar *Anti-corruption reforms in Eastern Europe and Central Asia: Focus on high level corruption and independence of prosecutors* (15 February) – President
- ▶ Working Group on Bribery in International Business Transactions (WGB) meetings on the Review of the 2009 OECD Recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions (12-14 April, 25-28 May, 28-29 June) – Secretariat
- ▶ Meetings of the Working party of Senior Public Integrity Officials – SPIO (4 May, 18 October, 8 December) – Secretariat
- ▶ Conference and launch of the report *Lobbying in the 21st Century: Transparency, Integrity and Access* (20 May) – Secretariat
- ▶ Meetings of the WGB (14-18 June, 13-14 September, 17 September, 11-15 October, 6 December) – Secretariat

Organisation for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

- ▶ ODIHR meeting on the situation of Judges and Prosecutors in Poland (30 March) – Secretariat
- ▶ ODIHR roundtable *The role of judicial associations in protecting and promoting the rule of Law in Poland* (29 June) – Secretariat

United Nations

- ▶ 14th United Nations Congress on Crime Prevention and Criminal Justice (7-12 March) – Secretariat
- ▶ Special session of the Conference of the States Parties to the United Nations Convention against Corruption on the preparations for the special session of the General Assembly on corruption (7 May) – Secretariat
- ▶ 32nd Special Session of the UN General Assembly (UNGASS 2021) on Corruption (2-4 June) – President, Secretariat

- ▶ UNGASS 2021, GRECO | United Nations Department of Economic and Social Affairs (UN DESA) side event *Building Transparent, Accountable and Inclusive Institutions* (2 June) – President, Secretariat
- ▶ United Nations Convention against Corruption (UNCAC) 12th and resumed 12th Sessions of the Implementation Review Group (14-18 June, 6-10 September) – Secretariat
- ▶ UNCAC 12th Session of the Open-ended Intergovernmental Working Group on the Prevention of Corruption (16-18 June) – Secretariat
- ▶ 9th Session of the Conference of the States Parties to the United Nations Convention against Corruption (COSP-9) (13-17 December) – President, Secretariat
- ▶ COSP-9, GRECO | United Nations Office on Drugs and Crime (UNODC) | OECD | Organization of American States (OAS) special side event on whistle-blower protection *Who is really a whistle-blower?* (14 December) – Secretariat

Other contacts

- ▶ Meeting with Etilda GJONAJ, Minister of Justice of Albania (15 January) – Secretariat
- ▶ Meetings with GRECO counterparts in the UNODC, the OECD WGB, and the OAS (3 February, 25 May, 24 September) – Secretariat
- ▶ Contact meeting with FIFA officials (9 February) – Secretariat
- ▶ Transcrime | Università Cattolica del Sacro Cuore webinar *Assessing Financial Crime Risk factors in firms' Ownership Structure: Results of project DATACROS* (24 February) – Secretariat
- ▶ Closing Conference *AIRE Centre | RAI Regional Asset Recovery Project* (9 March) – Secretariat
- ▶ Meeting with representatives of the European Network of Justice Inspection Services (*Réseau européen des services d'inspection de la justice – RESIJ*) (22 March) – Secretariat
- ▶ Meeting with Jean-François BEYNEL, Head of the General Judicial Inspectorate, France (22 March) – Secretariat
- ▶ Italian G20 Presidency meeting of the *G20 Anti-Corruption Working Group* (29 March – 1 April, 21-24 June) – Secretariat
- ▶ Meeting with Ambassador Jean-Claude BRUNET, Ambassador-at-large (France) on transnational criminal threats and the fight against the illicit trafficking of small arms and light weapons (30 March) – Secretariat
- ▶ Meeting with the Secretariat of the International Olympic Committee (IOC) (31 March) – Secretariat
- ▶ International Anti-corruption Academy (IACA) | Accounting Chamber and Institute for Legislation and Comparative Law of the Russian Federation, 10th Eurasian Anti-Corruption Forum *Constitutional waymarks in combating corruption* (20 April) -Secretariat
- ▶ International seminar *15 years of the Central Anti-Corruption Bureau of Poland* (23 April) – Secretariat
- ▶ Embassy of the United States of America in Riga | TI Latvia (Delna) *Round Table on Legislation on lobbying in Latvia* (23 April) – Secretariat
- ▶ Danish Helsinki Committee, *Freedom of expression, corruption and the civic space* (18 June) – Secretariat
- ▶ Embassy of the United States of America in Riga | TI Latvia (Delna) *Round Table on Managing conflicts of interest in central government and state-owned enterprises* (18 June) – Secretariat
- ▶ University of Konstanz *Anti-corruption and integrity laws and policies at federal level in Germany: views from GRECO* (30 June) – Secretariat
- ▶ Ministry of Justice of Albania High-Level conference *Challenges and opportunities in fighting corruption and fostering integrity* (5 July) – Secretariat
- ▶ Meeting with Irina VENEDIKTOVA, Prosecutor General of Ukraine (10 September) – President
- ▶ Working visit of Robert GELLI, Minister of Justice of Monaco (14 September) – Secretariat
- ▶ AMLP Forum 10th Annual Anti-Bribery & Corruption Forum (13-14 October) – Secretariat
- ▶ European University Institute School of Transnational Governance *High-level Policy Dialogue on the Rule of Law* (15 October) – President
- ▶ Meeting with Kevin CASAS-ZAMORA, Secretary General of International IDEA (9 November) – Secretariat

- ▶ International Olympic Committee (IOC) Fourth International Forum for Sports Integrity (IFSI) (16 November), Secretariat
- ▶ Moscow State Institute of International Relations roundtable *Basic anti-corruption and anti-money laundering concepts* (6 December) – Aslan YUSUFOV, GRECO Bureau member (Russian Federation), Secretariat
- ▶ Statement by GRECO's President *on corruption risks arising from the exceptional measures adopted during/post COVID* issued on the occasion of International Anti-corruption Day, and participation in a national event in North Macedonia on the same occasion (9 December) – President

Council of Europe

- ▶ Meetings of the *Ad hoc Group of Experts on Ensuring Whistle-Blower Protection in doping (T-DO-WP)* (16 March, 27 April) – Secretariat
- ▶ Meetings of the High-level Working Group on judicial reform in the Republic of Moldova (22 March, 7 September, 20-21 October) – Secretariat
- ▶ Exchange of views and presentation of GRECO's General Activity Report – 2020 to the Committee of Ministers (1401st meeting of the Ministers' Deputies, 14 April) – President
- ▶ Press launch of GRECO's General Activity Report – 2020 (15 April) – President
- ▶ MEDICRIME Convention webinar *Gender Perspective in the fight against the Falsification of Medical Products and Similar Crimes* (7 May) – Vita HABJAN BARBORIČ, GRECO Gender Equality Rapporteur (Slovenia)
- ▶ Parliamentary Assembly of the Council of Europe, Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) exchanges of views on Romania and Malta (19 May) – Secretariat
- ▶ Support for a better evaluation of the results of judicial reform efforts in the Eastern Partnership (EaP), *Launching of the Justice Dashboard EaP data collection* (8 June) – Secretariat
- ▶ Meeting with the German delegation to the Parliamentary Assembly of the Council of Europe on the state of play of implementation of GRECO's 4th Round recommendations for members of parliament (9 June) – Secretariat
- ▶ 9th Annual meeting of the Secretary General with the Presidents and Secretaries of the Monitoring and Advisory Bodies of the Council of Europe (25 October) – President
- ▶ 2nd inter-secretariat meeting on elections (18 November) – Secretariat
- ▶ Study visit to the Council of Europe– students from the Université Paris Dauphine (19 November) – Secretariat
- ▶ Gender Equality Division *Training on gender mainstreaming* (2-3 December) – Vita HABJAN BARBORIČ, GRECO Gender Equality Rapporteur (Slovenia)
- ▶ Framework Agreement with the Ministry of Foreign Affairs of Norway, annual meeting (13 December) – Secretariat

Appendix 6 – GRECO Secretariat (2021)

(December 2021)

Directorate General Human Rights and Rule of Law

Information Society – Action against Crime Directorate

Hanne JUNCHER, **Executive Secretary of GRECO, Head of the Action against Economic Crime Department**

Björn JANSON, **Deputy Executive Secretary of GRECO**

Senior legal advisors

David DOLIDZE

Gerald DUNN

Stéphane LEYENBERGER

Sophie MEUDAL-LEENDERS

Ylli PECO

Lioubov SAMOKHINA

Laura SANZ-LEVIA

Anne WEBER

Bianca VALENTE, Assistant Administrator

Heather ROSCOW SCHMITT, Personal assistant to the Executive Secretary and Head of Department

Central office and assistance

Penelope PREBENSEN, Head of Central Office

Diana FRECHOSO

Carla RIQUELME

Stefania KOLETTI, Intern

Appendix 7 – Membership (2021)

Member states in 2021, by date of accession (50)

Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Lithuania, Luxembourg, Romania, the Slovak Republic, Slovenia, Spain, Sweden (founding states – 1 May 1999)

Poland (date of accession: 20 May 1999), Hungary (9 July 1999), Georgia (16 September 1999), United Kingdom (18 September 1999), Bosnia and Herzegovina (25 February 2000), Latvia (27 July 2000), Denmark (3 August 2000), United States of America (20 September 2000), North Macedonia (7 October 2000), Croatia (2 December 2000), Norway (6 January 2001), Albania (27 April 2001), Malta (11 May 2001), Republic of Moldova (28 June 2001), Netherlands (18 December 2001), Portugal (1 January 2002), Czech Republic (9 February 2002), Serbia (1 April 2003), Turkey (1 January 2004), Armenia (20 January 2004), Azerbaijan (1 June 2004), Andorra (28 January 2005), Ukraine (1 January 2006), Montenegro (6 June 2006), Switzerland (1 July 2006), Austria (1 December 2006), Russian Federation (1 February 2007), Italy (30 June 2007), Monaco (1 July 2007), Liechtenstein (1 January 2010), San Marino (13 August 2010), Belarus (1 July 2006 – effective participation as of 13 January 2011), Kazakhstan (1 January 2020).

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.



Group of States against Corruption
Groupe d'États contre la corruption

