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FIFTH EVALUATION ROUND

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

COMPLIANCE REPORT

GREECE



Adopted by GRECO
at its 96th Plenary meeting (Strasbourg, 18-22 March 2024)



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

COUNCIL OF EUROPE



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I. INTRODUCTION

1. GRECO's Fifth Evaluation Round deals with "Preventing corruption and promoting integrity in central governments (persons entrusted with top executive functions, PTEFs) and law enforcement agencies (LEAs)".
2. This Compliance Report assesses the measures taken by the authorities of Greece to implement the recommendations made in the [Fifth Round Evaluation Report on Greece](#), which was adopted by GRECO at its 89th plenary meeting (29 November – 3 December 2021) and made public on 3 March 2022, following authorisation by Greece.
3. As required by GRECO's Rules of Procedure,¹ the authorities of Greece submitted a Situation Report containing information on measures taken to implement the recommendations in the Evaluation Report. That report was received on 24 November 2023 and served as a basis for this report.
4. GRECO selected Spain (in respect of top executive functions in central governments) and Czech Republic (in respect of law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Ms Miriam BAHAMONDE BLANCO on behalf of Spain and Ms Helena KLIMA LIŠUCHOVÁ on behalf of the Czech Republic. They were assisted by GRECO's Secretariat in drawing up this report.
5. The Compliance Report assesses the implementation of each individual recommendation contained in the Evaluation Report and gives an overall appraisal of the level of the member's compliance with these recommendations. The implementation of any outstanding recommendations (partly or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after this Compliance Report is adopted.

II. ANALYSIS

6. GRECO made 17 recommendations to Greece in its Evaluation Report. Compliance with these recommendations is dealt with below.

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

Recommendation i

7. *GRECO recommended that the legal status and obligations of political advisors be clarified and thoroughly regulated to subject them to the highest standards of integrity, including as regards rules of conduct, conflicts of interest and financial disclosure obligations.*

¹ The compliance procedure for the Fifth Evaluation Round is governed by GRECO's Rules of Procedure as amended. See Rule 31 revised bis and Rule 32 revised bis.

8. The Greek authorities report that the legal framework for political advisors has been strengthened by Article 38 of Law 4940/2022, which introduced amendments to Article 76 of Law 4622/2019 (regulating “Conditions of employment and incompatibilities for the associates and special advisors”). The amendments provide, *inter alia*, that a candidate for political advisor may not be appointed if s/he cannot carry out any of the duties provided for by the Civil Service Code² or if s/he is the spouse, cohabitant,³ a first or second degree relative of a member of Government or a Deputy Minister. Political advisors must submit a declaration on their current professional activities within a month of taking on their duties, which are subject to restrictions (Articles 71 and 72 (paragraphs 2 and 3) of Law 4622/2019). These duties are suspended if the political advisor is appointed to the post of Director of the private office of a member of Government, a Deputy Minister, Minister, Secretary General or to a post as a seconded Head of the Presidency of Government. Political advisors, upon the termination of their duties for whatever reason, must submit a declaration on their professional activities to the Head of the Directorate-General responsible for the institution concerned or to the Head of the Directorate General responsible for Human Resources. Political advisors are authorised (but only on application to and authorisation of the Ethics Committee and for 12 months starting from the date of their departure) to engage in any professional/business activity related to the activity of the entity in which they were employed. Article 37 of Law 4940/2022 adds a new case to Article 74 (1) of Law 4622/2019, notably that the Ethics Committee is responsible for the examination, *ex officio* or upon a complaint regarding violations of the obligations of political advisors⁴ and refers to sanctions provided for in Article 75 of the Law 4622/2019.
9. The authorities also report that, on the basis of a decision by the Minister of the Interior of 12 April 2023⁵, the National Transparency Authority (hereinafter: NTA) drafted a Code of Conduct for Political Advisors/ Political Appointees/Associates and Special Advisors. This Code defines their conduct in the exercise of their duties/activities and aims to prevent conflicts of interest, ensure transparency, integrity and accountability in the public policy process. It provides for (a) a competent authority to supervise compliance with the Code; (b) raising awareness/providing information for political advisors and civil society; (c) practical examples of moral and ethical dilemmas; and for (d) a self-assessment guide. The draft Code was sent by the NTA to the Ministry of the Interior and the General Secretariat for Parliamentary and Legal Affairs in the last quarter of 2023. The NTA is currently working in close cooperation with the Ministry of the Interior and the General Secretariat for Parliamentary and Legal Affairs to incorporate comments received. The Code is expected to be published by the end of the first quarter of 2024 (GRECO received non-official translations of the draft Practical Guide to Integrity Advisor Procedures, the draft Code of Conduct for Equity (Integrity) Advisors and the draft Code of Conduct for Seconded Officials and Special Advisors).
10. GRECO takes note of the information provided by the authorities. Some amendments were introduced in the legislation to extend integrity requirements for political advisors

² Articles 8 and 9 of Law 3528/2007 (Civil Service Code).

³ Article 1 of Law 4356/2015.

⁴ As specified in Article 76 of Law 4622/2019.

⁵ GGADDT 300 /6546/12.04.2023, Official Government Gazette (B 2473/2023).

(including by extending limitations for employment of cohabitants, subjecting political advisors to post-employment restrictions, and allowing for complaints of the public regarding political advisors before the Ethics Committee). GRECO also takes note of the draft Practical Guide to Integrity Advisor Procedures, the draft Code of Conduct for Integrity Advisors and the draft Code of Conduct for Seconded Officials and Special Advisors – the translations of which it has received. It is looking forward to receiving the final versions of these texts, once adopted.

11. GRECO concludes that recommendation i has been partly implemented.

Recommendation ii

12. *GRECO recommended that for the sake of greater transparency the names, functions and remuneration (for the tasks performed for the government) of political advisors, as well as information on ancillary activities (when those are carried out), is disclosed in a way that provides for easy, appropriate public access on-line.*
13. The Greek authorities report that Article 47^A of Law 4622/2019, as amended by Article 36 of Law 4940/2022, now provides that the details (full name, job title) of associates (one of the two types of political advisors) are published on the website of the body that employs them, which is also responsible for updating this information. The Presidency of the Government now keeps a centralised electronic list of the details of all the categories of associates in private offices (full name, status, job title, institution/agency to which they are assigned and salary scale). The Presidency of the Government is also under the obligation of drawing up an annual report, including statistics on the total number of associates, their salary scale and the penalties imposed for breaching their obligations. The website of the Presidency, which includes the list and the annual report, will be accessible to the public.
14. GRECO notes that the amendments introduced to Law 4622/2019 do not apply to all political advisors (they apply to associates, leaving out special advisors), but that the information regarding associates is now systematised through the list kept and updated by the Presidency of the Government and that it is publicly accessible. In the information on associates, however, no reference is made to ancillary activities, given that political advisors may continue to exercise their profession. Due to this lack of information with respect to associates and the lack of information all together with respect to special advisors, GRECO is unable to conclude that this recommendation has been fully implemented.
15. GRECO concludes that recommendation ii has been partly implemented.

Recommendation iii

16. *GRECO recommended that (i) a comprehensive code of conduct for persons entrusted with top executive functions be adopted (on issues such as contacts with lobbyists and other third parties, the prevention of conflicts of interest, gifts and other advantages, accessory activities and post-employment situations, disclosure requirements, etc.) and*

made easily accessible to the public, and (ii) that it be complemented by practical measures for its implementation, including written guidance, confidential advice, and training at the start of the term of office and on a regular basis thereafter.

17. The Greek authorities refer, with respect to the first part of this recommendation, to Law 4829/2021 (already referred to in the Evaluation Report), which regulates contacts with *lobbyists* by officials with high executive functions and the acceptance of *gifts*. The authorities also explain that the NTA has created a more specialised website with all the relevant information on lobbying provisions and instructions for entering the lobbying registry (see also <https://lobbying.aead.gr/>). The authorities also report that a draft opinion and a Ministerial Decision are being prepared by the NTA on the technical specifications and the specific content of an electronic book on and a list for gifts. Finally, the National Anti-Corruption Action Plan for 2022-2025 (hereinafter: NACAP for 2022-2025)⁶ includes an action on updating the Code of Conduct for Members of the Government and Members of Parliament (Action 2.3.18).⁷
18. With respect to the second part of the recommendation, the authorities refer to a Joint Decision of the Minister of the Interior and the Governor of the NTA⁸. This Joint Decision sets out that the core responsibility of the Integrity Advisor is to ensure a coherent framework of effective protection for employees who identify, suffer the consequences of or wish to report integrity violations, as well as to provide support, information, and advice to employees regarding ethics and integrity issues in their workplace. In addition, the Decision sets out, *inter alia*, to which institution the Integrity Advisor should send reports s/he receives regarding criminal offences or disciplinary misconduct. For non-criminal offence/disciplinary misconduct, personalised advice is provided to the reporting party and /or recommendations are made to the head of the organisation. The Integrity Advisor also provides personalised advice on ethical and integrity issues that staff members face in the performance of their official duties and information and advice on issues related to the Code of Ethics and Professional Conduct for Public Sector Employees or any other specific codes that the institution may have (including the Code of Conduct for Political Advisors/Appointees/Associates and Special Advisors). The Integrity Advisor is available to all employees, regardless of their employment status and employment relationship, including Political Advisors/Appointees/Associates and Special Advisors serving in his/her institution, this includes heads of agencies who are not covered by the Code of Conduct for Members of Government. The Code is expected to be published by the end of the first quarter of 2024.
19. In addition, by Ministerial Decision No. DIDAD/F.58/941/oik.3215/1.3.2022 (GG B 1041/8.3.2022)⁹, a *network* of integrity advisors will be set up to strengthen the integrity of public bodies through communication and cooperation, development of common standards and tools, the exchange of experience and expertise etc.

⁶ <https://aead.gr/publications/esskd/esskd-2022-2025/egkekrimeno-esskd-2022-2025-22>

⁷ The Greek authorities informed GRECO during the course of its 96th Plenary Meeting that the draft Code of Conduct for the Members of Government and the draft Code for Seconded Officials and Special Advisors are to be adopted by the end of March 2024.

⁸ DIDAD/F.58/1007/p.5559/29.3.2023 (B' 2207).

⁹ file:///E:/Local/Downloads/FEK-2022-Tefxos%20B-01041-downloaded%20-27_08_2023.pdf

20. With respect to training, the NTA conducts such activities on corruption risk management and carries out risk assessments in selected procedures of public administration bodies (e.g. General Secretariat of Citizenship, Ministry of Health, National Commission for Central Health Procurement).
21. GRECO notes that for the first part of the recommendation, the authorities provided information already taken into account in the Evaluation Report. The authorities then refer to the National Transparency Authority's specialised website on lobbying and its preparation of a draft opinion and Ministerial Decision on an electronic book and a list for gifts. These are positive measures. However, the first part of the recommendation was broader than this as it called for the elaboration of a comprehensive code of conduct. This has not yet been done, apart from the draft Code of Conduct for Seconded Officials and Special Advisors (see recommendation i and footnote 7).
22. For the second part of the recommendation, GRECO takes note of the information from the authorities on providing confidential advice to PTEFs through the appointment of integrity advisors. This is to be welcomed, however it is yet to materialise in practice. The authorities also refer to the National Transparency Authority's training on corruption risk management. However, no information is provided on whether PTEFs have actually attended such training. Here too, the aim of the recommendation is more ambitious as it calls for training on broader integrity matters and ethical dilemmas specifically targeting PTEFs, aimed by the recommendation. All in all, the action taken by the authorities to meet recommendation iii is not yet sufficient.
23. GRECO concludes that recommendation iii has not been implemented.

Recommendation iv

24. *GRECO recommended undertaking an independent assessment on access to information requirements in order to adopt regulation, and the necessary implementation measures, that fully meet the standards of the Council of Europe Convention on Access to Official Documents (CETS 205).*
25. The Greek authorities reiterate that although Greece has not ratified the Council of Europe Convention on Access to Official Documents, it has an institutional framework that is in line with its provisions. For instance, the right of access to public documents is ensured by provisions in force, including the Constitution, as set out in the Evaluation Report (see paragraph 59). However, in order to comply with this recommendation, and as a result of Action 2.1.8 - Drafting a new Code of Administrative Procedure under the NACAP for 2022-2025, a special committee of scientists and experts was set up under Law 4635/2019 to update the Code of Administrative Procedure. The Ministry of the Interior is now in consultation for the finalisation of this draft Code. The Ministry also reasserts its intention to take all appropriate action to comply with this recommendation as soon as possible.

26. GRECO takes note of the information provided. At the start, GRECO recalls that there is currently no dedicated freedom of information act in Greece. Thus, the recommendation called for an independent assessment in order to adopt regulation and the development of the necessary implementation measures. Consequently, the scope of the recommendation is much broader than just providing adjustments to the Code of Administrative Procedure, without having first examined the legislative and practical shortcomings of the existing system (of which several were highlighted by the interlocutors met at the time of the evaluation visit and described in detail in the ensuing Evaluation Report, see paragraphs 64 and 65).
27. GRECO concludes that recommendation iv has not been implemented.

Recommendation v

28. *GRECO recommended (i) facilitating early and relevant stakeholder engagement in policy/regulatory development; and (ii) establishing a legislative footprint tracking all external interventions from the beginning of the legislative process.*
29. The Greek authorities reiterate what was already indicated in the Evaluation Report (see paragraphs 67-70), that Law 4622/2019 significantly enhances the participation of stakeholders in the legislative process and the transparency of the process, through public consultation of draft laws, while the decision on whether to incorporate the comments submitted into the final provisions must be justified.
30. GRECO notes that nothing new has been added to what was already included in the Evaluation Report. At the time, GRECO noted the need for additional targeted steps to better provide for meaningful stakeholder engagement at earlier stages of decision-making processes and to track external interventions.
31. GRECO concludes that recommendation v has not been implemented.

Recommendation vi

32. *GRECO recommended that the system for managing conflicts of interest of persons entrusted with top executive functions be strengthened by (i) removing decision-making power from the Prime Minister and enhancing the competences of the General Secretariat for Legal and Parliamentary Affairs of the Presidency of Government; (ii) using declarations of conflicts of interest for counselling purposes; (iii) making disqualification decisions available to the public; (iv) articulating a complaint mechanism by the public or other institutions.*
33. For the first part of this recommendation, the Greek authorities refer to the Prime Minister's Decision no. Y150/2019 on the "Definition of procedural obligations for avoidance of conflicts of interest", which was already referred to in the Evaluation Report (see paragraphs 88-89). This Decision designates the General Secretariat for Legal and Parliamentary Affairs of the Presidency of the Government as the body responsible for the effective coordination and implementation of procedures relating to

conflict-of-interest situations. The authorities however add that it will be subject to a comprehensive assessment, which will be completed by June 2024 and will identify shortcomings and areas for improvement including in the system for managing conflicts of interest of persons entrusted with top executive functions.

34. As regards the second part of this recommendation, the authorities report that the introduction of the institution of integrity advisor (Law 4795/2021, referred to in the Evaluation Report, see paragraph 58), as mentioned under recommendation iii above, significantly strengthens the relevant regulatory framework, as its responsibilities include the provision of guidance, confidential advice, and personalised advice on ethics, integrity, and conflicts of interest to the staff of public bodies (including associates and political advisors) and training activities in cooperation with the National Centre for Public Administration and Local Government and other agencies/bodies. Finally, through the NACAP for 2022-2025, an integrated intervention is attempted to prevent and manage conflicts of interest at the institutional level (introduction of an integrated legislative framework on conflicts of interest)¹⁰, operational (development of a toolbox for the prevention and management of conflicts of interest), as well as training and awareness-raising. These actions are implemented by the Ministry of the Interior in cooperation with the NTA and the National Centre for Public Administration and Local Government.
35. The authorities also draw attention to the General Secretariat for Legal and Parliamentary Affairs of the Presidency of the Government having taken on an advisory role on the regulation of conflicts of interest for: members of the Government, Deputy Ministers, General and Special Secretaries, as well as the Coordinators of the Decentralised Administrations, the Presidents or heads of Independent Authorities and the Presidents, Vice Presidents, Governors, Deputy Governors, Deputy Governors, Managing Directors or Executive Directors of legal persons under public law and private law entities, whose selection is the responsibility of the Government. The Secretariat deals with questions arising from Law 4622/2019 concerning conflicts of interest. It also provides information on immunities, incompatibilities and obligations in the performance and after termination of duties not only of the aforementioned, but also of temporary employees and special advisors. A compilation of replies to frequently asked questions will be made publicly available by the Secretariat General for Legal and Parliamentary Affairs by April 2024.
36. As regards the third part of this recommendation, the authorities report that the Ethics Committee's decisions are published on the NTA website (<https://aead.gr/nta/epitropi-deontologias>). They reiterate that ethics and integrity obligations are laid out in Law 4622/2019 (referred to in the Evaluation Report), and report that there have been no disqualification decisions to date. The authorities refer to several decisions affecting PTEFs that are available on this website, including Decision 9/2023¹¹ on the Secretary General of the Health Ministry and Decision 7/2023¹² which deals with the request of an

¹⁰ Action 2.2.20: Introducing a regulatory framework and tools to address conflict of interest challenges (GG A 138/13.7.2022).

¹¹https://aead.gr/images/epitropi_deontologias/2023/epitropi_deontologias_apo_9_2023.pdf

¹²https://aead.gr/images/epitropi_deontologias/2023/epitropi_deontologias_apo_7_2023.pdf

associate who served in the private office of the Minister of Development and Investment.

37. With respect to the fourth part of this recommendation, the authorities report that Law 4622/2019 (as supplemented by Article 37 of Law 4940/2022) provides that the Ethics Committee examines, either *ex officio* or as a result of a complaint, possible violations of the obligations under Article 76. It also provides that this Committee has the power to impose sanctions. The adoption of the Decree proposed by the Prime Minister specifying the procedure for submitting questions to the Ethics Committee should be examined soon and the draft will be submitted to the Council of State for its review by March 2024.
38. GRECO takes note of the information provided by the authorities. For the first part of the recommendation, the authorities indicate that the Prime Minister's Decision no. Y150/2019 on the "Definition of procedural obligations for avoidance of conflicts of interest" will be subject to a comprehensive assessment. This assessment is to be completed by June 2024 and is to identify shortcomings and areas for improvement, including in the system for managing conflicts of interest of PTEFs. GRECO looks forward to receiving the results of this assessment.
39. GRECO notes that for the second part of the recommendation, the General Secretariat intends to publish a compilation of FAQs by April 2024. This is a welcome development given its use for preventive purposes, in line with the aim of the recommendation. GRECO looks forward to its effective completion.
40. GRECO welcomes, as regards the third part of the recommendation, that the Ethics Committee's decisions are published on the NTA website. It addresses this part of the recommendation, although no reference is made to disqualification decisions as none were rendered to date and it covers PTEFs.
41. As for the fourth part of the recommendation, GRECO notes that only slight progress has been made with respect to articulating a complaints mechanism, by looking into the possibility of introducing a procedure submitting questions/complaints to the Ethics Committee.
42. GRECO concludes that recommendation vi has not been implemented.

Recommendation vii

43. *GRECO recommended that the post-employment regime be reviewed in order to assess its adequacy and that it be strengthened by broadening its scope in respect of persons with top executive functions.*
44. The Greek authorities reiterate that Law 4622/2019 put in place a post-public employment reference framework for top senior officials (see the Evaluation Report, paragraph 101). This Law has now been extended to cover political advisors (amendment introduced by Law 4940/2022). They must obtain authorisation from the

Ethics Committee for any professional or business activity that relates to the activity of the entity in which they were employed, if it could raise any conflict-of-interest issues. The authorities also refer to the relevance of Law 4829/2021 which, as indicated in the Evaluation Report (see paragraph 103), introduces a longer cooling-off period (18 months) for lobbying activities.

45. GRECO notes that the information provided by the authorities was already included in the Evaluation Report, with the exception of the amendment introduced by Law 4940/2022. This amendment extends the post-employment regime to political advisors, which is to be welcomed. However, the adequacy of the post-employment regime, raised in the Evaluation Report with respect to this recommendation, has not been tackled. This includes looking into whether a one-year/18 months cooling-off period is enough, since a period of two years is the norm for most GRECO members reviewed to date in the Fifth Evaluation Round. The issue of the revolving door policy with respect to possible conflicts of interest of current persons with top executive functions as a result of their activities prior to government service, has also not been addressed.
46. GRECO concludes that recommendation vii has not been implemented.

Recommendation viii

47. *GRECO recommended that further streamlining and strengthening the oversight of the declarations of assets and financial interests of persons entrusted with top executive functions.*
48. The Greek authorities report that, since the recent entry into force on 28 February 2023 of new Law 5026/2023 on asset disclosures, significant progress has been made to increase the verification of asset declarations. The new Law revises the legal framework for asset declarations, simplifies the electronic submission process and provides for an upgrade of the IT-platform for the submission and management of asset declarations by the end of 2023. The new Law also extends and simplifies the categories of persons obliged to submit declarations (now includes PTEFs, including political advisors) from the current 49 categories to 13. It also defines their relevant obligations more clearly, with spouses, separated/divorced spouses and parties to a civil partnership now obliged to file separate declarations. The number of verifications will be almost doubled within the next three years (it is currently at 4% and the target is 7%). A unified, single audit procedure has been introduced with the implementation of this new law. The control bodies now work together as a “coordinated network”, sharing benefits and combining their expertise to achieve common goals. The Audit Coordinator needs to always be aware of the state of any partial or the overall progress made at any stage and must report continuously to the Central Audit Committee. The [Decision of the Parliament Plenary \[12.02.2024, Gov. Gaz. 22A\]](#) approves the rules of procedure of the Audit Committee of Article 25 of the Law regulating matters relating to their operation.
49. The authorities also explain that under this new Law, the Committee for the Investigation of Declarations of Assets (hereinafter: CIDA) is to be assisted by an audit

coordinator. This audit coordinator supervises and coordinates the work of the specialised audit bodies. It will do so to strengthen the oversight of the declarations of assets and financial interests of PTEFs, to reduce fragmentation in audits and to ensure uniformity with respect to violations and sanctions. On 31 March every year, CIDA submits an annual report on its activities for the previous year to the Special Standing Committee on Institutions and Transparency of the Parliament and to the Ministers for Finance and for Justice. CIDA will incorporate the reports of all the special audit bodies. This information will also be posted on the official website of the Parliament and remain posted for three years.

50. GRECO takes note that a new Law on asset disclosures (Law 5026/2023) has entered into force on 28 February 2023. This Law on paper substantially strengthens the oversight system of asset declarations. Implementation arrangements are also being secured in practice, including through e-filing, upgrades of the relevant IT system, appointment of an audit coordinator, public annual report on outcome of verifications. This recommendation will be met once GRECO will have received further information on how this Law is working in practice through fully operational implementational arrangements.
51. GRECO concludes that recommendation viii has been partly implemented.

Preventing corruption and promoting integrity in law enforcement agencies

Recommendation ix

52. *GRECO recommended that dedicated measures be taken to strengthen the representation of women at all levels in the police.*
53. The Greek authorities report that following the legislative amendments of 16 December 2021 (Article 73 of Law no. 4873), the minimum height requirement for female candidates for recruitment in the Hellenic Police was reduced to 1.63 m, while remaining 1.70 m for male candidates. As a result, the percentage of women admitted to Police Schools went up to 45-46% in 2022-23 (by way of comparison, it was 24.58% in 2020). The authorities further submit that the Police Personnel Department of the Hellenic Police Headquarters is currently working on an order to be addressed to all staff with a view to enhancing women's representation in various areas. In this connection, the authorities provide a chart illustrating a tendency towards increasing the number of female officers in managerial positions (from 102 in 2015 to 162 in 2024; the percentage is, however, not specified).
54. GRECO welcomes the adaptation of the minimum height requirement and the resulting increase in female students in police schools. It trusts that in time this will be positively reflected in the number of female police officers. However, it does not appear that a thorough review has been carried out to look at opportunities for improving the representation of women in the police at all levels. GRECO therefore considers that continuing efforts need to be made not only to actively increase the number of female recruits, but also those in managerial positions, which would require assessing what

obstacles may hinder their career and which positive policies and practices must be taken to ensure gender balance in the police.

55. GRECO concludes that recommendation ix has been partly implemented.

Recommendation x

56. *GRECO recommended that a comprehensive risk assessment of corruption prone areas and activities be undertaken in the police, to identify problems and emerging trends, and that the data is used for the pro-active design of an integrity and anti-corruption strategy for the police.*
57. The Greek authorities refer to annual reports prepared by the Internal Affairs Agency for Law Enforcement Bodies and submitted to the competent parliamentary committee for supervision and control. These reports provide detailed statistics on corruption throughout the public sector, which are used for the planning of the governmental preventive action. The authorities also submit that the Internal Affairs Agency plans to conduct a comprehensive collection of corruption-related data in cooperation with other institutions (such as the NTA and the Internal Audit Service). The collected information will form the basis of a risk assessment report to be compiled in the near future.
58. GRECO regrets the lack of any targeted action to meet recommendation x. It recalls that it has had regard to the oversight activities, in particular reporting, of the Internal Affairs Agency at the evaluation stage (see paragraph 167 *in fine* of the Evaluation Report). While bearing this in mind, GRECO had nevertheless considered that a comprehensive risk assessment informed by a variety of sources was called for (paragraph 130 of the Evaluation Report). In other words, GRECO saw the need for an assessment distinct from regular reporting and covering input from sources other than criminal and disciplinary cases. GRECO cannot but observe that no such assessment has been carried out and looks forward to receiving further updates in this respect. GRECO further notes that no information has been submitted on the development of a preventive strategy adapted to the specificities of the Greek police.

59. GRECO concludes that recommendation x has not been implemented.

Recommendation xi

60. *GRECO recommended that (i) the Code of Ethics for the Police be updated in order to address current challenges of policing and to include detailed guidance on integrity matters (conflicts of interest prevention, gifts, misuse of information, abuse of public resources, etc.); (ii) the professional training (initial and in-service) for police officers on ethics be further developed, taking into consideration the specificity of their duties and vulnerabilities and with a practice-oriented focus; and (iii) a regular communication strategy is devised to evidence ethical standards to the front-line workforce.*

61. The Greek authorities submit that the Hellenic Police Headquarters are currently working on a guide for police officers dealing with incidents of corruption and integrity issues in the Greek Police. Once completed, the guide will be published and widely disseminated, including through media and social media. It will also be included in the internal training programme. The authorities also submit that the integrity component of the training dispensed by the Hellenic Police Officers' School, the Police Academy and the Hellenic Police Postgraduate and Training School has been expanded, particularly during the academic year 2023-2024. In addition to the courses based on the Code of Ethics, Staff Regulations and other relevant normative acts, the training programme covers practical aspects (for example, factors influencing ethical behaviour of an individual officer, a team and a team leader; the specificity of ethical requirements applicable to different types of police action with emphasis on the protection of human rights; value-based leadership and managers' responsibilities; whistle-blowing; pressure groups, misperceived "loyalty" and the code of silence).
62. GRECO takes note of the initial work in progress towards supplementing the Code of Ethics with more detailed guidance and invites the authorities to submit further information in this respect, notably regarding the contents of the guide in the making. As regards professional training, GRECO appreciates that more importance has been given to the integrity issues in the relevant programmes of the Hellenic Police Schools. In this connection, GRECO recalls that the second part of the present recommendation is closely linked to the first one, notably the need to provide more targeted and detailed guidance, explaining the application of the Code of Ethics to real-life situations. GRECO would therefore welcome information on further measures aimed at developing the relevant professional training of the police officers and a regular communication strategy on ethical standards after the new explanatory guide is published.
63. GRECO concludes that recommendation xi has been partly implemented.

Recommendation xii

64. *GRECO recommended that a mechanism be introduced for providing confidential counselling to police officers on ethical and integrity matters.*
65. The Greek authorities report that the officers on duty at the call centre for complaints within the Internal Affairs Agency were given specific instructions to provide confidential advice on integrity and ethics issues. The Agency intends to bring the counselling mechanism into conformity with the regulatory framework introducing the institution of integrity advisor in the public administration (Law 4795/2021) (see Recommendation iii, above).
66. GRECO takes note of this information. It observes that the provision of confidential counselling has been entrusted to a call centre in charge of receiving complaints within the Internal Affairs Agency. GRECO has misgivings about this move as it puts in the hands of the body that investigates wrongdoing, the task of providing confidential counselling to agents. This in practice may have a chilling effect on agents to turn for advice, when confronted with an ethical dilemma, as they may fear action being taken against them

at a later stage. GRECO emphasises that the element of trust is of crucial importance for an advisory mechanism and invites the authorities to submit information on the measures that will be taken to reform and develop such a mechanism.

67. GRECO concludes that recommendation xii has not been implemented.

Recommendation xiii

68. *GRECO recommended strengthening integrity checks during staff recruitment, as well as at regular intervals throughout police careers.*
69. Regarding checks during the recruitment process, the Greek authorities report that pursuant to Presidential Decree no. 105/2021, new psychometric tests were introduced, coupled with an interview before the Psychometric Testing Committees. The testing phase, which lasts two days, covers, *inter alia*, a candidate's integrity. While not decisive, the test results are taken into account in the recruitment process. Further, the background check covers not only criminal convictions, but also criminal charges and other related measures. In addition, finger and palm prints of the successful candidates are taken.
70. As regards periodic checks, the authorities clarify that officers of all ranks, except for the Chief of the Hellenic Police, are subject to yearly appraisals by a body of evaluators, who examine not only professional competences, but also moral qualifications, including integrity (see Articles 18-26 of the Presidential Decree no. 24/1997¹³). Further, all police officers are likewise subject to yearly appraisals by their line managers who are supposed to give a rating (from 1 to 10) to various competences and characteristics, including integrity (see Articles 10¹⁴ and 32¹⁵ of Presidential Decree no. 15/1986). Moreover, police staff is required to submit asset declarations, which are to be reviewed by the Internal Affairs Agency. All the above data (and also those which cover health and family status, references, diplomas, training, transfers, disciplinary and criminal cases) are stored in the individual file of each police officer and are taken into account by the competent collective bodies which, for example, examine complaints against police officers or consider career matters, such as transfers or promotions.

¹³ Article 19 § 6 reads as follows: "For the evaluation of ethical qualifications, the following shall be taken into account: a. Discipline; b. Diligence and integrity of character; c. Awareness of duty." In accordance with Article 25 §§ 1-5, the evaluation criteria are scored by numbers from 1 to 100. The rating scale shall be: a. Excellent: from 91 to 100; b. Very Good: from 81 to 90.99; c. Good: from 61 to 80.99; d. Moderate: from 41 to 60.99; e. Insufficient: from 1 to 40.99. Scores that justify an unfavourable judgment in the current rank, as well as scores 95 and higher in any individual essential qualification must be justified by the evaluator. Disciplinary penalties imposed during the evaluation period shall be given negative points depending on their gravity.

¹⁴ In accordance with Article 10, the essential qualifications and service performance of the officers are assessed in whole numbers in the scale from 1 to 10. Serious flaws and shortcomings shall not be scored but shall be taken into account when attributing the general score or the score of a given qualification. The rating scale shall be: Excellent: 9.6 – 10; Very good: 7.6-9.5; Good: 5 – 7.5; Fair: 3-4.9; Unacceptable: 1 – 2.9.

¹⁵ In accordance with Article 32, the essential qualifications are divided into intellectual, professional, administrative, moral, mental and physical ones. Moral qualifications include: (1) Discipline;(2) Conscientiousness; (3) Straightforwardness, consistency;(4) Honesty – modesty;(5) Integrity of character; (6) Dignity; (7) Confidentiality; (8) Fairness and justice; (9) Sense of responsibility;(10) spirit of cooperation.

71. GRECO takes note of this information. Regarding the pre-recruitment checks, GRECO recalls that it has emphasised the importance of a more thorough background check covering a variety of aspects (a candidate's family, associates, financial and driving records etc), notably with the use of modern-day technologies (paragraph 144 of the Evaluation Report). While the introduction of a more in-depth psychometric testing is a positive development, it cannot provide relevant factual details on a candidate's professional and private life, which can be key to detecting dishonest tendencies. GRECO further notes that asset declarations are submitted by the police staff for processing by the Internal Affairs Agency. It is not, however, clear whether candidates are also subject to a similar control. GRECO therefore invites the authorities to pursue their efforts in developing solid background checks, notably by completing them with elements outside the criminal-law area.
72. As for periodic checks, GRECO notes the authorities' argument that the yearly appraisal system ensures the requisite regular check. GRECO recalls that it has analysed performance appraisals and career decision-making at the evaluation stage (see paragraphs 148-149 of the Report). GRECO was, however, not persuaded that these procedures allow to regularly follow any changes in police officers' personal circumstances (other than family status) that are likely to make a person more vulnerable to possible corruption risks (for example, financial problems arising as a result of a mortgage or personal loan, bankruptcy of a spouse, etc.). GRECO therefore advocated the introduction of regular vetting, the frequency of which should depend on risk exposure and the level of security required. GRECO further stressed that such a vetting should be conducted by trained personnel outside the direct chain of command (*ibid.*, paragraph 146). GRECO takes note of the additional information provided by the authorities in respect of appraisals, notably the rating system applicable to personal characteristics, such as integrity. However, absent any details on the criteria used for attributing a specific rating, GRECO is unable to view the authorities' clarifications as responding to its concerns raised at the evaluation stage. GRECO therefore would urge the authorities to take determined action in designing a system of periodic background checks outside the appraisal and career management context.
73. GRECO concludes that recommendation xiii has not been implemented.

Recommendation xiv

74. *GRECO recommended (i) ensuring an adequate financial reward system for overtime; and (ii) implementing a shift pattern which meets public service as well as individual officers' demands, thereby assuring work-life balance in the police.*
75. Regarding the first part of the recommendation, the Greek authorities report that the competent bodies are currently studying the possibility to introduce a financial reward system for overtime. As to the second part, the authorities clarify that daily rest periods may be offset in exceptional circumstances. The authorities further refer to several orders issued by the Hellenic Police Headquarters (in 2010, 2013, 2014 and 2019) and stressing the importance of strictly following the domestic rules on rest entitlements

and the announcement of the weekly task schedule (no later than by 2 pm on Friday of the preceding week). The orders refer to numerous complaints submitted in this respect and emphasise the need to take into account the well-being, personal and family life of the police staff. In the authorities' view, the existing system takes sufficiently into account individual demands of the police officers.

76. GRECO notes that some initial steps are underway towards the implementation of the first part of the recommendation and urges the authorities to pursue vigorously their efforts in this respect. As to the second part, GRECO cannot but conclude that no action has been taken. It also appears that the Police Headquarters has for quite a while been aware of the problematic situation with the shift rosters' management. However, despite several reminders from top-level management, there was no improvement. The problem has not been dealt with in a systemic manner. In this regard, GRECO recalls its findings at the evaluation stage as to the extensive recourse to the last-minute, exceptional modification of work schedules making them unpredictable and excluding any forward planning. GRECO therefore urges the authorities to take a more determined and systemic action in respect of this recommendation, which concerns particularly crucial matters.
77. GRECO concludes that recommendation xiv has not been implemented.

Recommendation xv

78. *GRECO recommended assessing the effectiveness of the current system/policy of parallel and post-employment business interests/activities of the police, including by establishing unequivocal criteria for permissible secondary activities and streamlining the authorisation process to render it clear, timely and effective.*
79. The Greek authorities clarify that the authorisations for secondary activities are mainly given by the Chief of Staff of the Hellenic Police, while the Chief of the Hellenic Police may grant authorisations in respect of specific occasional or temporary projects. The procedure for requesting such an authorisation is set out in detail in the official online register of administrative procedures of the Greek public service (www.mitos.gov.gr). The current practice is to examine any such requests from the standpoint of the requirements of the neutrality and impartiality of the police, the compatibility of a given secondary activity with the nature of the police duties and the need to avoid conflict of interest. Further, domestic law does not set any upper limit for the duration of an authorisation. Regarding post-employment restrictions, these concern only the officers of the Special Investigation Service, and their duration is limited to five years (Law no. 2518/1997).
80. The authorities also report that they have submitted through Europol an official request seeking to obtain information on the manner in which the domestic law and practice of other EU Members States regulate secondary activities of the police staff and post-employment restrictions. The input received from 11 States is currently being processed by the Hellenic Police Headquarters and the Ministry of Citizen Protection with a view to identifying best practices and developing the domestic legal framework accordingly.

In particular, an amendment of Article 5 of Presidential Decree no. 538/1989 is being considered to explicitly specify permissible secondary activities. The authorities further submit that an electronic database has been created and all the authorisations for secondary activities given so far will be digitalised and included therein.

81. GRECO takes note of this information and appreciates that the authorities intend to draw upon the best practices of other European States in this domain. GRECO invites the authorities to submit further details as to any follow-up that will be given to the comparative research work that is currently being conducted. Recalling its findings in paragraph 157 of the Evaluation Report, GRECO further urges the authorities to take determined action in revising the authorisation procedure so as to make it less protracted and bureaucratic.
82. GRECO concludes that recommendation xv has not been implemented.

Recommendation xvi

83. *GRECO recommended strengthening the protection of whistleblowers within the police and taking all other measures deemed necessary to facilitate the reporting of corruption, including by guaranteeing whistleblowers' confidentiality, as appropriate.*
84. The Greek authorities report that on 11th November 2022 the Greek Parliament adopted Law no. 4990/2022 which transposes the EU Whistleblowing Directive (no. 2019/1937) into the Greek legal order. The new law establishes a unified protection framework for persons reporting breaches of EU law and provides for internal reporting channels and external ones, notably the NTA which makes available, *inter alia*, the online platform for anonymous reports (<http://extwhistle.aead.gr>). Police officers fall within the personal scope of this Law which covers both the public and private sectors. In the authorities' view, Article 11 of the Law, which sets out the relevant functions of the NTA, sufficiently caters for the present recommendation. The authorities further inform that the Ministry of Justice is currently working on a new draft law to extend whistleblower protection to persons reporting corruption.¹⁶
85. GRECO takes note of this submission. While the transposition of the EU Whistleblowing Directive into the Greek legal system is undoubtedly a positive development, GRECO cannot but note that its substantive scope of application is limited to breaches of EU law in the designated areas¹⁷. In any event, GRECO recalls that it has emphasised the need

¹⁶ The Greek authorities informed GRECO in the course of its 96th plenary meeting that Law 5095/2024 (GG 40) has been adopted on 15 March 2024. This development, and its effective implementation, will be examined in the next reporting exercise.

¹⁷ i. breaches falling within the scope of the Union acts that concern the following areas: public procurement; financial services, products and markets, and prevention of money laundering and terrorist financing; product safety and compliance; transport safety; protection of the environment; radiation protection and nuclear safety; food and feed safety, animal health and welfare; public health; consumer protection; protection of privacy and personal data, and security of network and information systems;

ii. breaches affecting the financial interests of the Union as referred to in Article 325 TFEU; iii. breaches relating to the internal market, as referred to in Article 26(2) TFEU, including breaches of Union competition and State aid rules, breaches relating to the internal market in relation to acts which breach the rules of corporate tax or

for a protection system adapted to the specificities of the police and including operational arrangements and institutionalised mechanisms designed to provide full coverage to police officers throughout the whole duration of the reporting process (paragraph 176 of the Evaluation Report). GRECO cannot therefore regard Law no. 4990/2022 as targeted action towards the implementation of this recommendation. GRECO looks forward to receiving further updates on the draft law in the making, which should extend whistleblower protection to persons reporting corruption (see footnote 16). In this connection, GRECO emphasises that the relevant framework should cover *all* the areas relevant to police action. Moreover, reporting wrongdoing from within the police, especially in sensitive cases, as such may require special protection. GRECO therefore invites the authorities to carry out a thorough stock-taking exercise, with the consultation of the police, of the relevant areas excluded from the scope of the current whistleblower protection framework and the measures needed to address these gaps. GRECO looks forward to receiving the information on the results of such an exercise in due course.

86. GRECO concludes that recommendation xvi has not been implemented.

Recommendation xvii

87. *GRECO recommended (i) additional safeguards be introduced to provide for independent and effective investigation into police complaints and a sufficient level of transparency to the public; (ii) a tracking-system of public complaints be established.*
88. Regarding the first part of the recommendation, the Greek authorities refer to a circular issued by the Chief of the Hellenic Police on 18 April 2023 to address a number of important issues. Firstly, the circular highlighted the international definition of corruption as “the abuse of public position or power for private gain”. Secondly, the circular instructed that disciplinary proceedings in corruption cases should observe the same principles as the proceedings in police abuse cases, such as: thoroughness (especially as regards the collection of evidence); effectiveness (identification and punishment of those responsible); institutional independence (investigation should not be entrusted to officers serving in the same department as the party involved); speediness; rigour and deterrence; high level of transparency (notably, when communicating the outcome of proceedings to complainants or media). Thirdly, the circular instructed the competent communication services to monitor media and social media so as to be informed in a timely manner of any public corruption allegations against the police staff and to open a disciplinary investigation into the matter.
89. The authorities further clarify that the investigation into complaints of police abuse or ill-treatment is assigned to officers of a department other than that of the police officer involved (see the Circular of the Chief of the Hellenic Police issued on 8 October 2015). This concerns cases triggering either sworn or preliminary administrative enquiries (see paragraphs 186-187 of the Evaluation Report). Only complaints concerning minor

to arrangements the purpose of which is to obtain a tax advantage that defeats the object or purpose of the applicable corporate tax law.

disciplinary offences punishable by a fine or a reprimand¹⁸ may be investigated within the department of the officer concerned, under the supervision of the head of that department, who validates the sanction imposed. Further, the Hellenic Police Headquarters oversees all disciplinary proceedings against police officers. Finally, it is open to complainants to raise any impartiality or independence issues and request that the case be investigated in a different department. Referring to Presidential Decrees no. 120/2008 and no. 111/2019¹⁹, the authorities reiterate that the above procedures provide sufficient guarantees of independence, effectiveness and transparency.

90. Commenting on paragraph 181 of the Evaluation Report, the authorities submit that in 2017 the Ombudsman was designated as the National Mechanism for the Investigation of Arbitrary Conduct by the Law Enforcement Bodies and Prison Staff. Its mandate covers cases of four categories: *first*, torture and other violations of human dignity; *second*, intentional violations of the right to life, physical integrity and personal (including sexual) freedom; *third*, unlawful use of a firearm; *fourth*, racially motivated or otherwise discriminatory conduct. The Ombudsman may act upon individual complaints, of its own motion or upon referral by another authority. Any disciplinary proceedings are suspended pending the examination by the Ombudsman. Disciplinary bodies should give specific and detailed reasons if they decide not to follow the Ombudsman's findings. In such a case, the Ombudsman is given the possibility to submit further comments on the case, while informing the Minister of Civil Protection. In most cases, however, the Ombudsman's findings, though not binding, are followed by the disciplinary bodies. The authorities also refer to an order of the Headquarters of the Hellenic Police of 15 June 2017 instructing the police bodies to cooperate with, and to facilitate the investigations by, the Ombudsman.
91. Regarding transparency, the authorities also submit that in accordance with the current legal framework, complainants may, upon request, obtain the information on the outcome of their complaints, with due respect to data protection and confidentiality requirements. In practice, the Police Department concerned informs the complainant in writing of the outcome of his/her complaint.
92. As regards the second part of the recommendation, the authorities report that all disciplinary cases are recorded in the internal database within the electronic network of the Hellenic Police. The authorities further refer again to the circular of 18 April 2023, which stressed that all corruption cases should be adequately recorded in the above database, notably by using a special entry recently designed to this effect, for the purposes of a proper statistical analysis. The authorities submit that it will be possible, in the near future, to provide statistical data on such cases and make them public through press releases or social media. Information on cases examined by the Ombudsman is published on a dedicated platform. As regards criminal cases, the relevant statistics are published in the annual reports of the Internal Affairs Agency which collects and analyses all the information on corruption cases involving police officers.

¹⁸ For example, drunkenness while on duty.

¹⁹ See paragraph 184 of the Evaluation Report.

93. GRECO takes note of the above information. As to the first part of the recommendation, GRECO commends that more emphasis is placed on the necessity to ensure effective, independent and transparent investigation of the corruption complaints against police officers. Further, regarding specifically the independence requirement, GRECO recalls its view that all kinds of *serious* misconduct, of criminal or non-criminal nature, should be investigated in a department other than the one where the impugned officer is deployed (paragraph 184 of the Evaluation Report). In this connection, GRECO notes the authorities' clarification to the effect that only minor types of misconduct are investigated in the same department as that of the police officer complained of. Moreover, the circular of 18 April 2023 explicitly requires institutional independence for investigating disciplinary corruption cases.
94. GRECO is pleased to note that the investigatory mandate of the Ombudsman is broadened. It remains, however, the fact that its findings are not binding, which makes the requirement of the independence at the internal level all the more important (see paragraph 182 of the Evaluation Report).
95. As regards the second part of the recommendation, GRECO observes, with satisfaction, that complaints triggering disciplinary liability are registered in a specialised database and that the corruption complaints are now entered therein as a separate category. GRECO notes, however, that the relevant data on criminal cases are gathered and processed separately, by the Internal Affairs Agency. Another platform exists for recording cases examined by the Ombudsman. GRECO is therefore concerned as to whether the interaction of the above various tracking tools allows to gain a comprehensive, systematised view of the corruption phenomenon in the police and the related investigations. GRECO encourages the authorities to take the necessary measures in order to avoid a compartmentalised approach to processing such information, which is also important from the standpoint of transparency.
96. GRECO concludes that recommendation xvii has been partly implemented.

III. CONCLUSIONS

97. **In the light of the foregoing, GRECO concludes that Greece has satisfactorily implemented none of the seventeen recommendations set out in the Fifth Round Evaluation Report.** Six recommendations have been partly implemented and eleven have not been implemented.
98. More specifically, recommendations i, ii, viii, ix, xi and xvii have been partly implemented and recommendations iii, iv, v, vi, vii, x, xii, xiii, xiv, xv and xvi have not been implemented.
99. With regard to persons with top executive functions (PTEFs), some progress has been made. An important achievement is the substantial upgrade of the oversight system for asset declarations; more experience is necessary to assess its operation in practice. Furthermore, recent legislative amendments, together with the National Anti-Corruption Action Plan for 2022-2025, aim to strengthen the integrity framework for political advisors (a category that includes associates and special advisors). Amendments were also recently introduced in legislation to make public the names, functions, and remuneration of associates; however, such details are not public in respect of special advisors. A code of conduct for political advisors is in the pipeline. More determined action is required to promote and raise awareness on ethics and integrity matters among PTEFs, as well as to strengthen conflict of interest prevention, including regarding post-employment. An assessment of access to information requirements and the improvement in implementation practices are the most relevant pending matters. Further, targeted steps are required to better provide for meaningful stakeholder engagement at earlier stages of decision-making processes and to track external interventions.
100. With regard to the law enforcement agencies, some progress has been made in several areas. In particular, recent legislative amendments have led to the increase in female students in police schools, which should in the long run correct the imbalance between male and female police officers. Some measures have been taken to reinforce pre-recruitment integrity checks, which remain however somehow limited. Finally, a new database now allows the tracking of corruption complaints against the police, but it is not clear how the processing of such complaints is provided with greater transparency to the public. Some action has also been taken, through a Circular of the Chief of Police, to provide greater procedural assurances in discipline cases.
101. Further efforts are required to strengthen the representation of women at managerial positions within the police. Moreover, a solid preventive strategy needs to be developed on the basis of a comprehensive corruption-risk analysis, with a view to addressing specific weaknesses of the Greek police. The ongoing work should be continued to develop a functional system of guidance on ethics and integrity matters. The newly established confidential counselling channel needs to be reconsidered and reshaped, with due account taken of the requirements of independence, trust and relevant expertise. Periodic background checks of police officers need to be introduced without delay. Urgent and systemic action is called for to improve work-life balance in the police. An effective and clear policy of secondary and post-employment activities of the police

is yet to be designed. Further, a robust protection framework for whistleblowers within the police is also to be developed.

102. In the light of the foregoing, GRECO notes that significant efforts will need to be made to achieve an adequate level of implementation of the recommendations over the next 18 months. In accordance with Rule 31 revised bis, paragraph 8.2, of its Rules of Procedure, GRECO calls on the head of the delegation of Greece to submit additional information with regard to the implementation of all recommendations by 30 September 2025.
103. GRECO invites the authorities of Greece to authorise the publication of this report at their earliest convenience and make it public.