

**GROUP OF STATES AGAINST CORRUPTION
(GRECO)
International Anti-Corruption Mechanisms &
Best Practices**

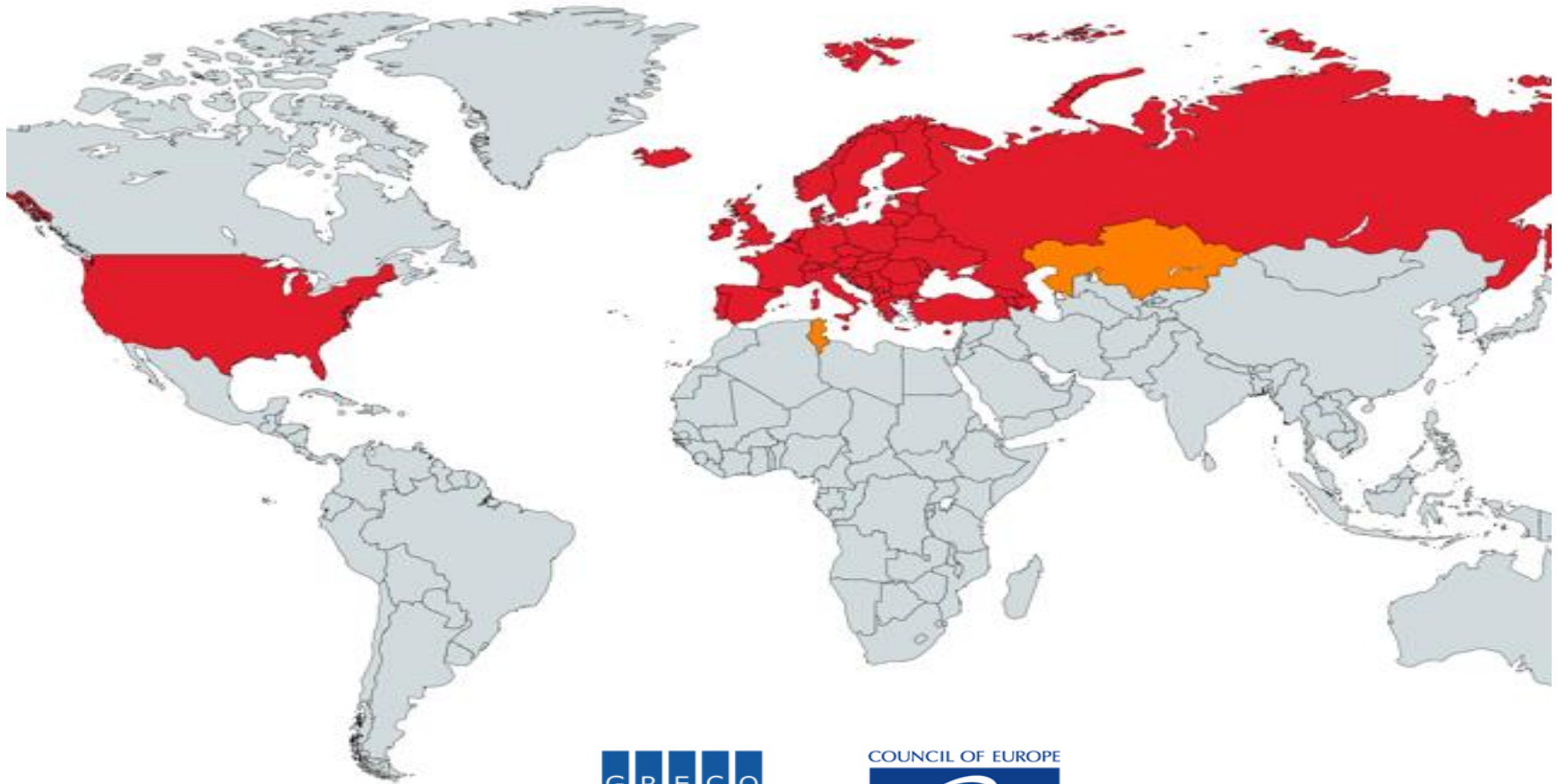
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General information about the mechanism

- GRECO created in 1999 @ Council of Europe
- 49 members (1 OAS member (USA), open)
- CoE Criminal & Civil Law Conventions on Corruption, 20 Guiding Principles, several thematic recommendations
- Anti-corruption monitoring body
 - Mutual Evaluation and Peer Pressure
 - Evaluation by topics/rounds & *ad hoc* (new)
 - Robust compliance procedure

General information about the mechanism

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

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

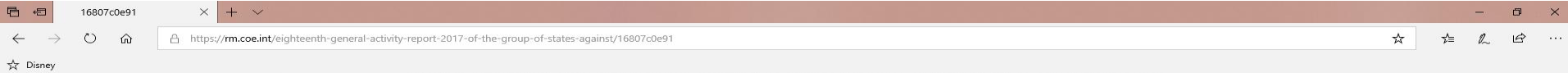
Topics Covered by GRECO Evaluations

- 1st round (2000-2003): Independence, specialisation & means available to national bodies engaged in the prevention and fight against corruption; extent and scope of immunities
- 2nd round (2003-2007): identification, seizure and confiscation of corruption proceeds; public administration and corruption (auditing systems; conflicts of interest); prevention of legal persons being used as shields for corruption, tax and financial legislation to counter corruption; links between corruption, organised crime and money laundering
- 3rd round (2007-2012): incrimination; transparency of political party funding
- 4th round (2012-2018): corruption prevention in respect of MPs, judges & prosecutors
- 5th round (2018- ...): corruption prevention in respect of central government (including the top executive functions) & of law enforcement

Best Practices

- GRECO highlights best practices in:
 - Country-specific Evaluation and Compliance reports
 - Annual General Activity Report (“Best of...”)
 - Conferences
 - “Sibenik Network”

Example 1 (GAR - MPs)



provide guidance to MPs on how to manage the potentially frequent conflicts of interest that can arise during their term in office. Clear standards of conduct help MPs and others understand what the expected conduct is and when that conduct falls below acceptable levels, as well as the consequences that can follow.

Selected good practices⁷

United States of America: A holistic integrity framework for Congress

In so far as Members of Congress are concerned, in order to address inappropriate but non-criminal conduct, a developed system of rules on ethics and conduct has been adopted in the Senate as well as in the House of Representatives.

Each house has a code of conduct that covers such topics as gifts, partiality, conflicts of interest, use of official resources, relationship with lobbyists, outside activities, negotiating for employment after Congressional service and post-employment. There are also requirements for public financial disclosure and a system of confidential counselling and training. In so far as the enforcement of the rules is concerned, the Constitution makes each house responsible for the conduct of its Members and each has an ethics committee. Both ethics committees rely on nonpartisan, professional staff with expertise in ethics law and investigations. The House of Representatives in recent years created an additional entity to add another element of independence to the disciplinary process. The Office of Congressional Ethics, an independent and nonpartisan entity, which also relies on a professional staff consisting primarily of attorneys and other professionals with expertise in ethics law and investigations, is responsible for conducting preliminary investigations of complaints against Members and staff of the House of Representatives. The Office of Congressional Ethics makes recommendations to the House of Representatives ethics committee to either dismiss a matter or further review the allegations. The House of Representatives ethics committee then conducts its

own de novo review of the allegations and recommends appropriate actions to be taken by the Member or imposed by the full House of Representatives.

Furthermore, as a result of the existence of a large lobbying industry, the United States established, a long time ago, far reaching lobbying disclosure rules in respect of lobbyists' contacts with Members, their staffs and other public officials.

Finland: Transparency of parliamentary committee work

Information on the composition of parliamentary committees is published on the website of Parliament. The meetings of parliamentary committees are as a rule not open to the public; however, a committee may open its meeting to the public during the time it is gathering information for the preparation of a matter. Minutes are kept of committee meetings, indicating the members present and the experts heard as well as the proposals and decisions taken, with voting results. Committee minutes are stored in an information network accessible to the public and preparatory documents concerning a matter become public when consideration of the matter by the committee has been concluded – unless the committee decides that for a compelling reason the documentation is to be kept secret, e.g. if divulging information would cause significant harm to Finland's international relations or to capital or financial markets. It is the general understanding that the possibility for a committee to decide to restrict public access to its documentation is to be used only exceptionally.



Example 1 (MPs)

- **USA: A Holistic Integrity Framework for Congress**
 - Rules of Conduct adopted by Senate and House of Reps
 - Comprehensive, incl financial disclosures & confidential counselling
 - Each Chamber responsible for the conduct of its Members and each has an ethics committee
 - Both ethics committees rely on nonpartisan, professional staff with expertise in ethics law & investigations
 - Office of Congressional Ethics, an independent and nonpartisan entity, is responsible for conducting preliminary investigations & makes recs

Example 2 (judges)

- **Slovenia: Electronic Case Allocation Boosts Transparency**
 - The Supreme Court of Slovenia introduced new technologies in courts to implement the rules on case assignment and on publicity
 - Court registers are entirely computerised and publicly available
 - 95% of cases are registered and allocated electronically
 - annual schedules of all courts are published on the website of the judiciary
 - This positive feature of the system guarantees that no one can tamper with the random case assignment to judges.
 - Computerisation has visibly increased public trust in the case allocation system - complaints from parties have almost completely ceased

Example 3 (Prosecutors)

- **The Netherlands: A novel approach for the prosecution service to communicate with the public**
 - Each prosecution office has a press team to handle communication on cases
 - The teams are composed of press officers and of “press prosecutors”
 - Press prosecutors divide their time between prosecution and media work.
 - This innovation has been positively received & cleared lack of understanding around decisions not to prosecute or to discontinue prosecution in individual cases
 - Press prosecutors with technical knowledge can discuss with the prosecutor in charge of a case why some detail should or should not be disclosed and are then able to speak to the media and answer questions more clearly and precisely.

Example 4 (Anti-Corruption Bodies)

- **France: The High Authority for transparency in public life (HATVP)**
 - Created in 2014, aims at promoting the integrity of public life in France
 - Controls the integrity of the highest-ranking French public officials, who are required to disclose their assets and interests when taking up their official duties
 - Also in charge of preventing conflicts of interest and monitoring “revolving doors” of certain public officials
 - HATVP manages a public register of lobbyists, shared by governmental and local authorities and the Parliament

Example 5 (Asset Declaration)

- **Georgia's Asset Declaration System: A Good Model in Continuous Improvement**
 - Officials (incl MPs) submit detailed asset declarations to the Civil Service Bureau through an electronic programme within two months of their appointment/election, during their term of office, once every year, and within one year after their term of office
 - Candidates submit an asset declaration within one week of registration as candidates
 - The Civil Service Bureau is tasked to ensure the receipt of asset declarations, the public availability of information on property held by relevant officials and checking the submission of declarations according to law

Example 6 (Gender)

- **Iceland: Gender-related policy making**
 - National Police Commissioner and district commissioners have appointed special representatives on equal rights
 - A Special Council of outside experts has been established by the National Police Commissioner to address direct and indirect discrimination, harassment and gender-based violence within the police
 - The National Commissioner has adopted a policy and an action plan as well as special guidelines on gender equality

Questions?

Thank you

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