GROUP OF STATES AGAINST CORRUPTION (GRECO)
Preliminary Findings – GRECO 5th Evaluation Round
Law Enforcement

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General information about the mechanism

• GRECO created in 1999 @ Council of Europe
• 49 members (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
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
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• This analysis based on 12 adopted evaluations (20 by end-2019)

• Law enforcement:
  – bodies performing core law enforcement functions (may include agencies responsible for border control)
  – in case of multiple police services at national level the evaluation will be limited to 2-3 main services
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Areas Covered

• Anticorruption and integrity policy
• Recruitment, career and conditions of service
• Conflicts of interest
• Prohibition or restriction of certain activities
• Recusal and abstention
• Declaration of assets, income, liabilities & interests
• Internal & External oversight
• Reporting obligations & Whistleblowers protection
• Public complaints and remedies procedures
• Enforcement and sanctions
5th Evaluation Round – LEAs
Areas Covered

Number of Recommendations by topic

- Anticorruption and integrity policy: 27%
- Recruitment, career and conditions of service: 12%
- Conflicts of interest: 7%
- Prohibition or restriction of certain activities: 4%
- Recusal and abstention: 1%
- Declaration of assets, income, liabilities & interests: 18%
- Internal & External oversight: 24%
- Reporting obligations & Whistleblowers protection: 3%
- Public complaints and remedies procedures: 3%
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Main trends

• Anti-corruption and integrity policy
  – Complement codes of conduct w/gifts, ad hoc conflict of interests and relations with third parties
  – supervision and enforcement
  – regular training including their superiors
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Main trends

• Organisation and accountability
  – adequate resources for police
  – in some instances GRECO highlighted need to ensure appropriate and dignified pay for police officers
  – accompany any restructuring with adequate resources adapted to new needs
5th Evaluation Round – LEAs
Main trends

• Recruitment, career and conditions of service
  – transparent and merit-based recruitment, promotion and dismissal, w/objective appeals procedure & striving for gender balance
  – no-one should unduly influence the process and superiors should not be above this rule
  – integrity checks and vetting of the police could take place not only during staff recruitments, but also regularly
  – compliance with the rules of ethics should form part of periodic performance reviews of police staff
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Main trends

• Conflicts of interest
  – Fairness and impartiality are key.
  – need to be proactive in dealing with conflicts of interests
  – clear rules on management of CoI and oversight
  – links between police officers or their close relatives with companies
5th Evaluation Round – LEAs
Main trends

• Prohibition or restriction of certain activities
  – Situation is diverse: some countries prohibit secondary activities, others allow under certain conditions
  – For the latter, have a streamlined system for authorisation of secondary activities with effective follow-up
  – Post-employment: lack of rules
5th Evaluation Round – LEAs
Main trends

• Declaration of assets, income, liabilities and interests
  – 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
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Main trends

• Oversight and enforcement
  – stronger risk management systems
  – preventing the risk of unauthorised access to registers and leaking of information
  – Rule of silence -> transparency is an essential tool for upholding citizens’ trust in the functioning of the police + obligation for police to report not just corruption but also integrity related misconduct
  – protection of whistleblowers in the police
  – internal inquiry functions
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Preliminary conclusions

• Oversight and enforcement
  – Risk-based anti-corruption policies
  – More attention to oversight and enforcement, awareness-raising and accountability
  – Strengthen internal oversight & whistleblower protection mechanisms
  – Conflict of interest management + flow public-private sector
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Eurobarometer / Corruption 2017: government efforts vs. police to deal with corruption*

[Source: Elena Koncevičiūtė, based on data of Special Eurobarometer 470 Corruption Report 2017]
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Upcoming evaluations

• GRECO Dec 2019: France, Belgium, Croatia (adoption)
• 2020: visit to Bulgaria, Lithuania, Ireland, Hungary, Azerbaijan, Montenegro, Greece, Serbia
Questions?

Thank you

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