

## INFORMATION NOTE

### What is GRECO?

The Group of States against Corruption (GRECO, [website here](#)) was established in 1999 by the Council of Europe to monitor States' compliance with the organisation's anti-corruption standards. GRECO's objective is to improve the capacity of its members to fight corruption by monitoring their compliance with Council of Europe anti-corruption standards through a dynamic process of mutual evaluation and peer pressure. It helps to identify deficiencies in national anti-corruption policies, prompting the necessary legislative, institutional and practical reforms. GRECO also provides a platform for the sharing of best practice in the prevention and detection of corruption.

### How does GRECO work?

GRECO works in cycles: evaluation rounds, each covering specific themes. During the evaluation rounds, GRECO monitors all its members on an equal basis, through a dynamic process of mutual evaluation and peer pressure. GRECO's monitoring comprises (i) a "horizontal" evaluation procedure (all members are evaluated within each evaluation round) leading to an in-depth assessment of the situation and, whenever necessary, country specific recommendations aimed at improving the member's anti-corruption measures through legislative, institutional and practical reforms; and (ii) a compliance procedure designed to assess the measures taken by members to implement the recommendations. GRECO may also initiate an "*ad hoc procedure*" in urgent situations where measures taken in member states may result in violations of the anti-corruption standards of the Council of Europe.

### How is the evaluation procedure carried out?

The evaluation process follows a well-defined procedure, where a team of experts is appointed by GRECO for the evaluation of a particular member. The analysis of the situation in each country is carried out on the basis of written replies to a questionnaire ([available here](#)) and information gathered in meetings with public officials and representatives of civil society during an on-site visit to the country. Following the on-site visit, the team of experts drafts a report which is communicated to the country under scrutiny for comments before it is finally submitted to GRECO for examination and adoption. The conclusions of evaluation reports may state that legislation and practice comply - or do not comply - with the provisions under scrutiny. The conclusions may lead to recommendations which require action within 18 months.

### How does the compliance procedure work?

One of the strengths of GRECO's monitoring is that the implementation of recommendations is examined in the compliance procedure. 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. In cases where not all recommendations have been complied with, GRECO will re-examine outstanding recommendations within a set time limit. Compliance reports and the addenda thereto adopted by GRECO also contain an overall conclusion on the implementation of all the recommendations, the purpose of which is to decide whether to terminate the compliance procedure in respect of a particular member.

### How many evaluation rounds have taken place?

GRECO's first evaluation round (2000–2002) dealt with the independence, specialisation and means of national bodies engaged in the prevention and fight against corruption. It also dealt with the extent and scope of immunities of public officials from arrest, prosecution, etc. The second evaluation round (2003-2006) focused on the identification, seizure and confiscation of corruption proceeds, the prevention and detection of corruption in public administration and the prevention of legal persons (corporations, etc) from being used as shields for corruption. The third evaluation round (launched in January 2007) addresses (a) the incriminations provided for in the Criminal Law Convention on Corruption and (b) the transparency of party funding. The fourth evaluation round (launched in January 2012) deals with prevention of corruption in respect of members of parliament, judges and prosecutors. The current fifth evaluation round (launched on 20 March 2017) covers the prevention of corruption and promotion of integrity in central governments (top executive functions) and law enforcement agencies – for a quick overview of the contents that will be discussed during the visit that is now going to take place, please check Annex 1.

### **How many times has Portugal been subject to an evaluation procedure?**

Portugal joined GRECO in 2002 and has been evaluated in the framework of GRECO's first (in November 2002), second (in November 2005), third (in May 2010) and fourth (in July 2015) evaluation rounds. The compliance procedure in respect of the first, second and third evaluation rounds have terminated, resulting in the implementation of 92% of recommendations in the first evaluation round, 80% in the second evaluation round, and 77% in the third evaluation round. In the fourth evaluation round, which is still ongoing, 20% of the recommendations have been fully implemented, 47% partly implemented and 33% not implemented so far.

### **What to expect before, during and after the on-site evaluation visit?**

Drawing from the authorities' responses to the [questionnaire](#), the introduction part of which provides information about the subject-matter of the evaluation visit, GRECO's secretariat has prepared a draft descriptive part (DDP) of the evaluation report. Together with the authorities' responses and supporting documents, said DDP will form the basis of the on-site meetings – please find it attached as Annex 2 - the purpose of which is to gain a better understanding of the effective implementation of existing legal and regulatory framework.

Any questions or requests for clarifications/information indicated in the DDP (which are by no means exhaustive) or asked during meetings do not presume or require later conclusions to be formulated by GRECO.

For the sake of making good use of time, the evaluation team does not encourage national counterparts to make presentations during meetings. Instead, any presentations or documents which the counterparts wish to share with the evaluators could be emailed in advance to the organizers:

- Ms. Mariana Sotto Maior [mariana.j.sottomaior@dgpj.mj.pt](mailto:mariana.j.sottomaior@dgpj.mj.pt) and/or
- Mr. João Arsénio de Oliveira [joao.p.oliveira@dgpj.mj.pt](mailto:joao.p.oliveira@dgpj.mj.pt) and/or
- Mr. António Delicado [antonio.p.delicado@dgpj.mj.pt](mailto:antonio.p.delicado@dgpj.mj.pt).

As the evaluation visit is labour-intensive, the members of the evaluation team will put specific questions to the invited institutions in order to gain a better understanding of the effective implementation of existing legal and regulatory framework. It is expected that the responses will be clear, specific and easy to follow, not least because that will assist the interpreters in fulfilling the difficult task of interpreting everything into English or Portuguese. Subsequent to the evaluation visit, a draft report, containing the evaluation team's assessment of the situation and proposed recommendations, will be prepared and examined by GRECO at its 93<sup>rd</sup> plenary meeting in March 2023. The Portuguese authorities will be given the opportunity to comment in writing on the draft report.

The evaluation team may request that supplementary information be submitted after the on-site visit.

All discussions and documents shared during the evaluation process remain confidential. Only the adopted report will be published on GRECO's website, following authorisation by the Portuguese authorities.

### **Composition of the evaluation team**

On the occasion of the evaluation visit to Portugal from 27 June to 1 July 2022, GRECO's evaluation team will be composed of the following evaluators:

Ms. Evgjeni BASHARI, Inspector General, High Inspectorate of Declaration and Audit of Assets and Conflicts of Interest, Tirana (Albania)

Mr. Alexandru CLADCO, Prosecutor, Head of International Cooperation and European Integration, Department of the General Prosecutor's Office, Chisinau (Republic of Moldova)

Ms. Esther SEVILLA NAVARRO, Responsible for Spanish Assets Tracing and Recovery Office Economic and Financial Intelligence Department/Intelligence Centre Against Terrorism and Organized Crime, Ministry of Interior, Madrid (Spain)

Ms. Monika OLSSON, Director, Division for Criminal Law, Ministry of Justice, Stockholm (Sweden)

And supported by

Ms. Sophie Meudal-Leenders and Mr. Ylli Peco, Legal Senior Advisors from GRECO's secretariat.

### **Where to obtain more information about GRECO?**

The evaluation reports, the subsequent compliance reports as well as other information are available on GRECO's website ([www.coe.int/greco](http://www.coe.int/greco)).