

## Guest Editorial eucrim 3-2023

**Marin Mrčela**



### EDITORIAL

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Dear Readers,

The Group of States against Corruption (GRECO), of which I have been President since 2012, was established in 1999 as the anti-corruption monitoring body of the Council of Europe. The Council of Europe acted as a pioneer when it made fighting corruption one of its priorities for international cooperation nearly 30 years ago. Today, GRECO's 48-country membership comprises the Council of Europe member states as well as the United States of America and Kazakhstan. Being a member of GRECO is a commitment to the proactive fight against corruption and other forms of misuse of power.

Over the years, GRECO has become a multilateral reference point for anti-corruption reform and has helped hold states accountable for their anti-corruption efforts and policies. The European Court of Human Rights regularly cites the GRECO reports in its judgments related to, for example, the independence of the judiciary and the prosecution service. GRECO's evaluation and compliance reports also feature strongly in the European Commission Rule of Law Reports.

The foundation of GRECO's work is its peer review monitoring. This helps ensure ownership of GRECO's key messages and has helped us develop a substantial body of expertise within the GRECO community and even beyond. The GRECO evaluation reports are followed up with a robust compliance procedure that continues until members have reached a satisfactory level of implementation. Ad hoc procedures can also be launched if GRECO receives reliable information that an institutional reform or a legislative initiative may result in a serious violation of a Council of Europe anti-corruption standard.

States can join GRECO by invitation of the Committee of Ministers or by acceding to the Council of Europe 1999 Criminal or Civil Law Conventions on Corruption, also by invitation of the Committee of Ministers. Upon accession, GRECO is tasked with monitoring implementation by the parties to the conventions.

GRECO has followed the EU's work on the new anti-corruption package with close interest. It is very important that the action on the part of the Council of Europe, notably GRECO, and the EU is complementary in this shared core area. The 27 Member States of the European Union are all long-standing states parties to the Council of Europe Criminal Law Convention on Corruption. The EU has had observer status since 2019 and could join as a full member under the GRECO statute, a step GRECO would welcome.

Corruption is a criminal law offence and requires effective investigations, convictions, and sanctions that are proportionate, dissuasive, and, again, effective. This is clearly acknowledged in the Criminal Law Convention on Corruption. In addition, preventive action in the form of mechanisms for transparency, oversight, and accountability is very important in order to reduce impunity.

GRECO's ongoing fifth evaluation round shows that more needs to be done by states to effectively prevent corruption and to promote integrity among persons with top executive functions. In particular, states should make sure that their legislative and institutional integrity frameworks apply fully and directly to persons with top executive functions, i.e. presidents, vice presidents, prime ministers, ministers, deputy ministers, ministerial advisers, and other politically appointed persons. More efforts are also required to ensure that corrupt behaviour and integrity failings on the part of the police come to light and are acted upon.

We know that mentalities that are formed early endure, and I have continuously emphasised that states should provide education and awareness-raising about the harmful effects of corruption on people's lives and on our institutions and processes.

GRECO will continue to work with our member states to ensure that the necessary action is taken to prevent and fight corruption. The aim is clear: safeguarding our values and institutions in the future – to the benefit of everyone.

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Editorially reviewed articles published in English, French, or German, are complemented by timely news and analysis of legal and policy developments across Europe.

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