

# GRECO: Ad hoc Report on Greece



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European Law Forum: Prevention • Investigation • Prosecution

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## News

On 18 December 2019, GRECO published an *ad hoc report on Greece*. In the past, GRECO, together with the Organisation for Economic Co-operation and Development (OECD), had strongly criticised the Greek government for watering down the anti-corruption legislation already in place – especially for downgrading the bribery of public officials from a felony offence to a misdemeanor, thereby also introducing more lenient criminal sanctions. As a consequence, GRECO and the OECD opened joint *ad hoc* procedures.

The latest report states that the procedures resulted in the partial reintroduction of stronger criminal legislation in respect of bribery offences as of 18 November 2019. GRECO underlines that, despite this positive development, the effects of last year's legislative amendment will be long-lasting, because the acts committed in the meantime and before November 2019 will only be punishable as misdemeanors.

In addition, GRECO recommends that the Greek authorities introduce a system whereby aggravating circumstances in bribery offences have a proportionate impact on the sanctions to be imposed. While GRECO is pleased to note that the power of the Minister of Justice to suspend criminal proceedings harmful to international relations has been excluded with regard to corruption offences, it recommends extending the scope of Greek criminal legislation on bribery offences in a foreign context, in line with the CoE Criminal Law Convention.

Lastly, the report points out two circumstances that further weaken the fight against corruption and possibly other related crimes: on the one hand, the general possibility of refraining from prosecution for misdemeanors punishable by up to three years in prison; on the other hand, the specific and total exemption from criminal responsibility for corruption committed in relation to the President of the Republic, whether it involves accepting or granting bribes. GRECO calls on the Greek authorities to reconsider this situation and reiterates the need for Greece to comply with international standards against money laundering and the fight against the financing of terrorism.

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