

GRECO: Fifth Round Evaluation Report on Portugal

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News

On 10 January 2024, GRECO presented its [5th round evaluation report on Portugal](#). GRECO acknowledges the extensive anti-corruption legal and institutional framework developed by Portugal, made possible by transparency and anti-corruption legislative packages introduced in 2019 and 2021.

These include the following:

- A national anti-corruption strategy covering the period 2020-2024;
- A national anti-corruption mechanism, which is the entity responsible for the implementation and monitoring of the general regime for the prevention of corruption;
- A requirement to adopt regulatory compliance programmes in the public sector and in private entities with fifty or more employees;
- A code of conduct for members of the government and members of ministerial cabinets;
- An entity for transparency (also referred to as the transparency authority), which is entrusted with the collection and scrutiny of declarations of assets, interests, and liabilities;
- A new law protecting whistleblowers.

There have been noticeable delays, however, in the effective implementation and monitoring of the rules in many areas.

The national anti-corruption strategy lacks an action plan and proper monitoring. The national anti-corruption mechanism and the transparency authority are not yet fully operational. The government's code of conduct needs to be supplemented by proper guidance (especially as regards conflicts of interest and gifts), by awareness raising activities, and by monitoring/sanctioning mechanisms. Both the government and law enforcement authorities must comply with the requirements under the new law on whistleblower protection.

There are further deficiencies that effectively hamper the credibility of Portugal's efforts. Although there is a system in place to check the integrity of candidates prior to joining government, no such rules exist for integrity checks prior to appointment of members of ministerial cabinets. Also, the post-employment restrictions for members of government are not consistently applied in practice. Declaration systems for persons with top executive function (PTEFs) to declare their assets also have various flaws, given that there are, for instance, no operational platforms for electronic filing, no requirements to publish the declarations in full, and no regular substantive checks.

Another area of concern is public access to information, as it should be made available more readily. Websites should be updated and become more user-friendly.

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Looking at law enforcement (the National Republican Guard and the Public Security Police), GRECO recommends more transparency and objectivity. Undue influence (including in the form of appointment and promotion to senior positions), donations, and external activities must be countered. The disciplinary regime also needs better oversight. Another recommendation is to further elaborate on ethical standards, in particular on conflicts of interest and gifts, in addition to implementing a confidential counseling mechanism. Lastly, GRECO recommends establishing internal whistleblower channels and increasing the representation of women at all levels.

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