



Brussels, 21 November 2018
(OR. en)

14199/18

JAI 1121
DROIPEN 175
COSCE 8

NOTE

From:	Presidency
To:	CATS
No. prev. doc.:	13755/17
Subject:	Relationship of the EU to the Council of Europe Group of States against Corruption (GRECO)

The accession of the EU to the Council of Europe Group of States against Corruption (GRECO) has been discussed since 2011.

While in 2012 the Commission submitted to the European Parliament, the Council and the Economic and Social Committee a Communication on the participation of the EU in GRECO (based on Article 220 TFEU) and in 2013 COREPER called on the Commission to submit a recommendation for a Council decision authorising negotiations on behalf of the Union for the EU accession to GRECO under Article 218 TFEU no progress has been made.

The accession of the EU to GRECO was discussed again at the meeting of CATS on 13 November 2017. The discussion showed that both the Commission and a significant number of Member States view the EU accession to GRECO as a priority but could not agree on the legal basis for the accession. As a consequence, no further steps were taken.

The Presidency intends to stimulate a discussion to take the issue forward.

It is recalled that GRECO was established in 1999 by the Council of Europe. 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 system of mutual evaluations and peer pressure. Currently, GRECO comprises 49 member States (48 European States, including all the Member States of the European Union and the United States of America) and 10 observers.

It is also pointed out that the Parliament has repeatedly called for the EU to advance its application for membership of GRECO (P8_TA(2017)0206).

Two possible ways forward exist: full membership and observer status.

Full EU membership of GRECO would imply that the EU institutions would be subject to a peer review to assess the compliance of EU anti-corruption policies and their implementation at institutional level with the CoE anti-corruption standards. It would also entail the obligation to pay annual compulsory contributions to the budget of GRECO.

Observer status would mean that the EU would not be subject to GRECO evaluations and would not have a vote in GRECO. The EU would, however, receive the evaluation reports. The EU as an observer might contribute voluntarily to the budget of GRECO (which might help to overcome some reluctance by some GRECO states to granting observer status to the EU).

The Presidency invites Member States to consider how the relationship of the EU to GRECO might be taken forward, in particular if the observer status in GRECO might be a possible first step if no agreement on full EU membership could be reached.