



NATIONAL TRANSPARENCY AUTHORITY

HELLENIC NATIONAL TRANSPARENCY AUTHORITY

Follow-up on Challenges in Implementation

UNCAC Review Cycle II – Chapters II and V

CONTEXT

In accordance with article 63 of the Convention and within the context of Review Cycle II on the implementation of Chapters II (Preventive Measures) and V (Asset Recovery), Greece was reviewed by Belgium and Mexico, assisted by UNODC experts. Following the submission of input by national stakeholders, a country visit was scheduled in February 2019, a few months prior to a major institutional reform regarding the fight against corruption that was the result of the adoption of Law 4622/2019 on the Organization, Operation and Transparency of the Government, Government Institutions and Central Government Administration, in August 2019, which established the Hellenic National Transparency Authority (hereinafter NTA). The NTA is structured into three key operational pillars which are the following: detection by performing inspections and audits; prevention by developing integrity and accountability standards; awareness raising by promoting trust to public institutions, educating the youth, and engaging citizens in the fight against corruption. The NTA operates as an independent authority which enjoys functional independence, administrative and financial autonomy and is not subject to the control or supervision by government bodies, state institutions or other administrative authorities.

PURPOSE

The purpose of this document is to demonstrate that at the time the report was finalized (Fall 2021), Greece was already compliant with paragraphs 1 and 2 of article 6 of the Convention that provide for the existence of an independent body with the mandate to prevent corruption, equipped with the necessary material resources as well as with specialized and trained staff so as to carry out its functions free from any undue influence. In addition, Greece met the requirements provided in paragraph 3 of article 5 on the periodic evaluation of legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption, with the systemic evaluation, monitoring and review of the National Anti-Corruption Plan (hereinafter NACAP), as well as the requirements of paragraph 2 of the same article in terms of developing synergies with the broader society. It had also in place mechanisms to monitor the intake of complaints submitted to the NTA, in accordance with paragraph 2 of article 13. Hence, this document aims to inform the Conference of States Parties on the measures taken by Greece in implementing the Convention, highlight successes and good practices, as well as promote and facilitate the exchange of information, practices, experiences and international cooperation in the prevention and fight against corruption, in accordance with Review Process Goals (para. 11) of the Terms of Reference of the Mechanism for the Review of Implementation of the Convention.

The following table summarizes the measures that have already been adopted by Greece in response to the challenges raised in the review report.

CHALLENGES IN IMPLEMENTATION AS PER REVIEW REPORT MEASURES TAKEN FOLLOWING COUNTRY VISIT (IN PLACE AS OF AUGUST 2019)	
CHALLENGES IN IMPLEMENTATION	MEASURES TAKEN AFTER COUNTRY VISIT
1. <i>Continue to identify and resolve overlapping competencies among relevant bodies to increase efficiency and effectiveness, in particular in the area of controls and inspections, including in the enforcement of administrative and criminal sanctions (art. 6 para. 1)</i>	The establishment of the NTA with Law 4622/2019 aimed at a complete restructuring of six pre-existing key state entities namely: i. General Secretariat Against Corruption (GSAC); ii. Inspectors-Controllers for Public Administration; iii. General Inspector of Public Administration (GIPA); iv. Inspectors Body for Health and Welfare Services; v. Inspectors Body for Public Works; vi. Inspectors-Controllers Body for Transport, which were abolished, with the NTA undertaking the entire range of responsibilities, obligations, and rights previously exercised by them, ensuring the institutional continuity of administration and the interests of Greek citizens. The establishment of the NTA gave an end to overlapping competences, coordination impediments, and fragmentation of audit bodies, aiming at fostering integrity, developing integrated training and capacity building programs, standardizing audit methodologies, and restoring public trust.
2. <i>Assess the budget and staffing needs of the main prevention bodies to see how planned and actual resources and capacities can be better matched to enable those agencies to implement their mandates, in particular with regard to new agencies and transferred functions (art. 6 para. 2).</i>	For its first operational year, the NTA was supported by the Ministry of Interior. Since the beginning of 2021, the NTA is fully autonomous in administrative and financial terms. Personnel serving or seconded to the pre-existing bodies that were abolished, was automatically seconded to the Authority. As of November 2021, a total of 240 inspectors-auditors and a total of 146 administrative staff were serving at the NTA. The NTA is in the process for the secondment of an additional number of 55 specialized inspectors-auditors who are expected to start service in January 2022.
3. <i>Endeavour to strengthen the periodic monitoring and evaluation of the relevant legal instruments and administrative measures, including its anti-corruption policy and action plans, for instance through the identification of indicators to evaluate the results (art. 5 para. 3).</i>	The current (2018-2021) NACAP is an integrated policy framework for combating fraud and corruption in Greece. NACAP serves as the key strategy framework as well as the operational tool for planning, implementing and monitoring anti-corruption policies. The NTA monitors NACAP's progress and implementation and develops an implementation report every six months which is uploaded on its website

		(available in Greek and English). In addition, the internal evaluation of NACAP has been completed in co-operation with major national stakeholders. The external ex post evaluation of NACAP will have been completed by the end of 2021. For the purposes of NACAP's monitoring, evaluation and review, the NTA has developed tools, manuals, procedures and flowcharts.
4.	<i>Promote the participation of society in the development and implementation of anti-corruption policies and ensure that all actors relevant to their implementation are involved (article 5 para. 2)</i>	For the development of the next NACAP (2021-2024), the NTA has engaged into a series of consultations with various civil society organizations for the establishment of synergies and actions of common interest aiming at ensuring openness and strengthening accountability.
5.	<i>Monitor the intake of complaints or reports by different institutions as a basis for considering whether more guidance for or coordination among them would be useful to ensure coherence and efficiency (art. 13 para. 2)</i>	Following the abolition of the above-mentioned bodies (see <i>supra</i> 1), complaints can be submitted to NTA with post or fax, or can be filed at its premises, while a special e-mail address is also available. Complaints can also be submitted via its online complaint form that is available on its web-site, where citizens can submit a complaint, by reporting a violation of law, and upload relevant material. Citizens can provide their contact information, or choose to remain anonymous. The Authority follows a one gate-many entry points logic, as links to the NTA's portal are also available across public sector websites. The complaints received are prioritized on the basis of specific criteria. If the complaint falls out of NTA's jurisdiction, it is forwarded to the competent authority.
6.	<i>Consider further measures to prevent corruption involving the private sector, such as ... establishing a "cooling-off" period applicable to a broader set of public officials who move to the private sector...(art. 12 para. 2e)</i>	Law 4622/2019 has introduced a one-year cooling off period that applies to (a) members of the Government and Deputy Ministers, (b) General and Special Secretaries, and Coordinators of the Decentralised Administrations, (c) Presidents or Heads of Independent Authorities, and Presidents, Vice-Presidents, Governors, Deputy Governors, Directors or appointed advisors to legal persons governed by public law and private law. Law 4829/2021 that among others regulates lobbying activities, has also established an 18-month cooling-off period to members of the legislative and executive power subject

		to the requirements of the law who wish to engage in lobbying activities.
OTHER ISSUES RAISED IN THE REVIEW REPORT		
	FRAMEWORK IN PLACE DURING COUNTRY VISIT	FRAMEWORK IN PLACE AS OF AUGUST 2019
7.	GSAC and GIPA were established with Laws 4320/2015 and 3074/2002 respectively.	Law 4622/2019 has led to the abolition of GSAC and GIPA. The NTA has is considered their successor (see also <i>supra</i> 1).
8.	The Coordinating Inspection and Audit Body was headed by the General Inspector of Public Administration.	The Coordinating Inspection and Audit Body has been abolished by Law 4622/2019 and replaced by the National Coordinating Body of Audit and Accountability (ESOEL). The latter brings together all the bodies responsible to conduct audits and inspections on corruption, including the Financial Police, the Internal Affairs Service of Law Enforcement Bodies, the Inspection and Control Services of the Ministry of National Defense, the Directorate of Inspections of the Ministry of Foreign Affairs and the General Accounting Office. This Body has the following objectives: (a) to identify synergies and possible overlaps between control actions and anti-corruption initiatives, (b) to design and implement joint actions, (c) to engage in dialogue and exchange of views among all authorities, bodies and agencies involved, and (d) to disseminate good practices.
9.	Anonymous reporting was allowed under GSAC and GIPA.	Anonymous reporting is also provided under NTA (see <i>supra</i> 4). An online complaint form is available on NTA's website where citizens can submit a complaint and choose to remain anonymous.
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