



HELLENIC REPUBLIC

NACAP

Implementation Report

July - December 2020



NATIONAL TRANSPARENCY AUTHORITY

**Report on the Implementation of the
National Anti-Corruption Action Plan
(NACAP) 2018-2021
July-December 2020**

Executive summary

The National Anti-Corruption Action Plan (NACAP) serves as the key strategy framework as well as the operational tool for planning, implementing and monitoring anti-corruption policies.

During the first semester of 2020, the NTA focused a) the systematic review of NACAP implementation, b) the NACAP update NACAP, taking into account the institutional reforms adopted with L. 4622/2019.

During the second semester of 2020, 10 actions have been completed. More specifically:

- ✓ 4 are linked to Specific Objectives of Sectoral Prevention of Corruption (Part 1),
- ✓ 4 are linked to Specific Objectives for Strengthening Cooperation and Coordination (Part 3),
- ✓ 2 are linked to Specific Objectives for Education and Raising Awareness (Part 4).

Thus, so far, out of NACAP's 147 actions:

- ✓ 78 have been completed,
- ✓ 64 (mainly connected to funding requests and Technical Assistance projects) are ongoing and
- ✓ 5 actions have not yet started.

Out of the total of the 78 completed actions:

- ✓ 29 are linked to Specific Objectives for the Sectoral Prevention of Corruption (Part 1),
- ✓ 7 are linked to Specific Objectives for the Promotion of Integrity (Part 2),
- ✓ 32 are linked to Specific Objectives for Strengthening Cooperation and Coordination (Part 3),
- ✓ 5 are linked to Specific Objectives for Raising Awareness and Educating the public and
- ✓ 5 are linked to Specific Objectives for NTA's Organizational Change/ Operational Reform (Part 5).

In addition, the NTA developed an integrated management system, through the introduction of standardized procedures for NACAP's monitoring, evaluation and updating.

The current report summarizes the progress of NACAP's implementation for the first semester of 2020 and is divided in 5 parts, in accordance with NACAP's structure:

- ✓ Sectoral prevention of corruption,
- ✓ Integrity across the Public Administration and the Judiciary System,
- ✓ Strengthening of the Cooperation and Coordination across the public sector,

- ✓ Education and Raising Awareness,
- ✓ Organizational Change and Operational Reforms of the National Transparency Authority.

PART I

Sectoral prevention of corruption

As regards the strengthening of asset recovery and asset management mechanisms, the competent Legislative Committee for the development of the respective regulatory framework has begun its works (action 1.3.2). The action is financially supported by the EEA Grants Financial Mechanism through the "Good Governance, Accountability, Transparency" program. The program agreement for its implementation has been signed between the EEA and the Program Manager (Actions: 1.3.2, 1.3.3, 1.3.5).

The progress of the actions with regards to the promotion of special anti-corruption measures in the fields of Sports, Environment and Investments, implemented with the financial support of the SRSP2 program of EU DG Reform, the technical assistance of the United Nations Office on Drugs and Crime (UNODC) and the cooperation of the national competent authorities, is satisfactory (actions 6.1.1-6.2.2, 7.1.1-7.2.2, 8.4.1-8.4.2).

So far, the training workshops on corruption risk assessment in the Environment policy area have been completed, with the participation of the

Ministry of Environment and Energy executives (action 7.2.2) and the UNODC will be soon submitting the following deliverables:

- ✓ One report for the organisation of an upcoming awareness – raising campaign to promote integrity in sports (action 6.2.1).
- ✓ One handbook for physical education teachers in primary and secondary schools on the topics of fair play, tolerance, respect in sports and the promotion of integrity in sports (action 6.2.2).
- ✓ One report for conducting a survey on the impact of corruption on the State and the private economy (action 8.4.2).

The COVID-19 pandemic had a negative impact on the project implementation. Consequently, the timetable for its implementation (at the contractor request) was extended until October 2021.

Regarding the Sectoral Anti-Corruption Strategy in Health, the competent Ministry, taking into consideration the proposals submitted by the OECD in the framework of the technical assistance program implemented during 2016 and 2017, has developed a set of measures along with the necessary regulatory and administrative framework for their implementation. The NTA, in close cooperation with the Ministry of Health and its supervised bodies, evaluated the implementation of the aforementioned measures and submitted an updated draft (actions 4.1.1-4.2.1).

The promotion of transparency and integrity in the political sector and the public administration are pursued through the implementation of the National Integrity System, according to the Memorandum of Cooperation signed between the Ministry of Interior and the NTA. In this context, a bill for regulating lobbying in Greece is expected to be referred to the Parliament for vote in early 2021 (actions 9.4.1-9.4.2).

At the same time, the effective operation of Internal Audit Units in Municipalities is progressing smoothly, as a significant number of Municipalities, among which Rethymnon, Piraeus, Alimos, Athens, Thessaloniki and Aspropyrgos, have already established Internal Audit Units.

To the same direction and within the National Integrity System, the new bill on Internal Audit (see also part B- action 11.3.3.) is expected to be voted within the first semester of 2021 (action 10.3.3).

PART II	Integrity across Public Administration and the Judiciary System
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Within the reporting period, there are no new completed actions. However, there have been significant developments regarding the preparatory actions for the implementation of the National Integrity System:

- ✓ A Memorandum of Cooperation between the NTA and the Ministry of Interior was signed.

- ✓ The timetable for its implementation was identified (action 11.1.1).

At the same time, progress has been made regarding the regulation of critical policy fields:

- ✓ The regulation of conflict of interests issues is pursued through the update of the code of conduct for public officials and the elaboration of a respective code for the elected officials of local government, which will be completed by the summer of 2021 (actions 11.1.4-11.1.6).
- ✓ The bill on the protection regime for whistleblowers is expected to be completed by the end of next year (action 11.2.2.).
- ✓ The draft bill regulating the coordination and the operation of the Internal Audit Units is completed (action 11.3.3.).

PART III	Strengthening of Cooperation and Coordination across the public sector
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The majority of actions under Special Objective 13.2 “strengthening the national institutional framework for inspection, investigation and prosecution in the fight against corruption and financial crimes” has been completed while the effort for strengthening the framework for inspection, investigation and prosecution regarding combating corruption and financial crimes is significantly empowered by the establishment of the Financial

Prosecutor's Office, under which the two pre-existing structures -namely the Corruption and the Financial Prosecutor- have been merged. L. 4745/2020 amends the relevant provisions of the Code of Criminal Procedure (articles 33 - 36 of L. 4620/2019) and establishes a new structure, called Financial Prosecutor's Office for the investigation of corruption, tax and financial crimes.

The new Financial Prosecutor's Office, as provided for in Article 35 of the new law, will investigate all cases of corruption and financial crimes against State, Local Authorities, Public legal entities and the European Union or crimes that are deemed to seriously harm the national economy. Ministers and Deputy Ministers also fall under its jurisdiction, with respect to relevant crimes committed (except for crimes that, according to the Constitution, fall under the Parliament's jurisdiction), as well as members of the National and the European Parliament, Secretary Generals Secretary Specials, Governors, Deputy Governors and Vice-Presidents of State funded (and subsidized) private legal entities.

The financial prosecutors may also investigate tax cases on their own initiative, while having the power of seizing assets and accounts.

Finally, the Financial Prosecutor's Office also supervises and coordinates special investigators' actions and especially employees of the Financial Police, the Financial Crime Investigation Directorate

and the Financial and Economic Crime Unit (action 13.2.1).

The training of public officials on anti-corruption topics is provided by the National Center for Public Administration and Local Government (EKDDA) which organised within 2020, 20 training programs¹ (corresponding to 8 program titles) related to corruption and fraud issues that were attended by 304 public officials² (action 13.2.11).

The implementation of the NACAP actions included in SRSP2 aiming to strengthen AFCOS coordination role as well as at the

¹ Financial Audit: 1 program, State aid: introduction to the institutional framework, approval and audit procedures: 1 program, critical control points in public procurements and investment plans: 2 programs, public accounting - budget, audit, accounting of public legal entities: 2 programs, methodology and practices for carrying out management audits: 2 programs, legality and transparency in public administration and local government: 6 programs, Fighting fraud and corruption in public administration: 5 programs, Structural and Investments Funds: Management and Control System for Combating Corruption and Fraud: 1 program

² Financial Audit: 17 servants, State aid: introduction to the institutional framework, approval and audit procedures: 14 officials, critical control points in public procurements and investment plans: 35 officials, public accounting - budget, audit, accounting of public legal entities: 29 officials, methodology and practices for carrying out management audits: 29 officials, legality and transparency in public administration and local government: 97 officials, Fighting fraud and corruption in public administration: 70 officials, Structural and Investments Funds: Management and Control System for Combating Corruption and Fraud: 13 officials.

adoption of anti-fraud measures in the Structural Funds is ongoing (actions: 13.4.1-13.6.2). A report with proposals for integrating AFCOS into the Management and Control System for 2021 – 2027 and for improving its institutional arrangements and operational procedures is going to be submitted before the end of the year (action 13.4.2).

Finally, the 2017/1731 Directive on the fight against fraud to the Union's financial interests by means of criminal law has been incorporated by L. 4689/2020 (action 13.9.1).

PART IV **Education and Raising Awareness**

The NTA, aiming at strengthening the integrity through the educational and academic community and in cooperation with the Ministry of Education and Religious Affairs, the Institute of Educational Policy, the EU DG Reform and the UNODC announced the first National Student Competition "*Integrity leaders of tomorrow*". The competition invites the students to look for creative ways, such as painting, collage, photography, poster, videos and written text, to express the values of integrity, justice, respect, solidarity and accountability. The deadline for applications is April on 23rd while required documents and relevant information are available on NTA's site³ (action 14.1.3).

³ <https://aead.gr/education/ekpaideftikes-draseis/panellinios-diagonismos-mathitikis-dimirourgias>

In addition, during the International Anti-Corruption Day on December 9th NTA:

- ✓ Conducted a public web discussion on "Attitudes and perceptions of Greek public opinion for corruption" ⁴ (action 14.2.1).
- ✓ Published ⁵the results of the survey "Greek public opinion about corruption" conducted, on behalf of the NTA, by "Public Issue" company (action 14.2.2).

PART V **Organizational Change and Operational Reforms of the National Transparency Authority**

The majority of NACAP's 5th Part actions, which was added during its first update by the NTA, have been implemented. There are actions connected to the organizational change, reflecting the reform challenges and aiming at NTA's smooth and effective operation.

Conclusion

In the second semester of 2020, NACAP's implementation continued to produce tangible results despite the challenges posed by the COVID-19 pandemic, that led to the redefinition of NTA's priorities to

⁴ <https://aead.gr/education/ekpaideftikes-draseis/pp-didiktiaki-ekdilosi-staseis-kai-antilipseis>

⁵ https://aead.gr/images/deltia_typou/2020-pagkosmia-imeria/09122020_survey_final.pdf

the direction of the protection of public health.

NACAP completion rate rise to 53% (78 completed actions out of a total of 147) while the majority of the actions that have not been completed are connected to the completion of on- going projects. For the majority of these actions the implementation dates need to be updated.

In November 2020, NTA launched NACAP's first internal evaluation by sending structured questionnaires to the implementing and monitoring authorities. The evaluation aims to a) assess NACAP implementation progress, b) identify internal and external factors that contributed or prevented the implementation of NACAP actions and the

achievement of its Objectives, c) highlight weaknesses and other issues that need to be addressed.

The results of the evaluation will be included in the Annual Evaluation Report that will be published on NTA's website. Furthermore, in the first semester of 2021 NTA will commission an external evaluation of NACAP's overall effectiveness.

The results and the conclusions of both evaluation exercises as well as the lessons learnt through monitoring will provide feedback to the redesign of NACAP for the 2022 – 2025 period.



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