

ΠΑΡΑΡΤΗΜΑ

The Fourth Round Evaluation Report on Cyprus adopted at GRECO's 72rd Plenary Meeting (1 July 2016) and made public on 27 July 2016, following authorisation by Cyprus (Greco Eval4 Rep(2016)7 E).

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176. The GET learned on-site about discussions within the Attorney General's Office concerning possible reforms of the Law Office, towards more independence of this Institution (e.g. in terms of a separate budget, its own recruitment and promotion mechanisms etc.). Considering the very broad mandate given to the Attorney General and the Law Office of Cyprus, including multiple advisory functions to the executive authorities, dealing with matters relating to criminal, civil, public and international law etc., such broad reform goes beyond the focus of the current Report, which is limited to prosecutorial staff and functions. Having said that, the GET would see much benefit in reforms in respect of the part of the Law Office that is dealing with prosecutions. Bearing in mind the Twenty Guiding Principles for the Fight against Corruption⁹ (Principle 3), the GET wishes to stress that authorities dealing with prosecution of criminal cases, including corruption offences, are to enjoy independence and autonomy appropriate to the carrying-out of such functions. Being an integrated part of the Law Office, the prosecution service of Cyprus may be seen to operate in an environment that is not fully free from potential or real risk of improper influence. At the very least, such an institutional setting requires a number of checks and balances to prevent risks of undue influences. Leaving aside general reforms of the Law Office, which go beyond the objective of the current report, the GET would favour reforms aiming at providing the officials dealing with prosecutions (including both law officers and prosecutors) with more autonomy and independence, coupled with the safeguards necessary, to pursue prosecutions in various court instances. To this end, GRECO recommends that reform considerations concerning the Law Office of the Republic include means to strengthen the independence of the prosecutorial functions and the capacity of the individual law officers and prosecutors to conduct their duties in a more autonomous way, guided by the safeguards necessary under the rule of law.

GET = GRECO evaluation team