



**ACN**

**Anti-Corruption Network for Eastern Europe and Central Asia**

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**15<sup>th</sup> ACN STEERING GROUP MEETING**

25 September 2013

OECD, 2 rue André-Pascal, 75016 Paris

**SUMMARY RECORD**

The summary record was prepared by the ACN Secretariat to summarise the discussion and decisions taken at the 15<sup>th</sup> ACN Steering Group meeting. It was approved through written procedure by 2 December 2013.

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## 1. INTRODUCTION

The 15<sup>th</sup> ACN Steering Group Meeting took place on 25 September 2013, at the OECD in Paris, back-to-back with the 12<sup>th</sup> Monitoring Meeting of the Istanbul Anti-Corruption Action Plan.

The 15<sup>th</sup> ACN Steering Group meeting was co-chaired by **Mr Daniel Thelesklaf**, Head of the Financial Intelligence Unit, Principality of Liechtenstein, and **Mr Yerlan Tuyakbayev**, Director of Legal Support and International Co-operation Department, Agency on Fighting Economic and Corruption Crime, Kazakhstan.

The Steering Group took note of the 14<sup>th</sup> Steering Group's meeting Summary Record and adopted the proposed agenda for the 15<sup>th</sup> Steering Group meeting.

## 2. 12<sup>TH</sup> MONITORING MEETING OF THE ISTANBUL ANTI-CORRUPTION ACTION PLAN

The Steering Group took note that the third round monitoring reports of Azerbaijan and Georgia were adopted during the 12<sup>th</sup> Monitoring Meeting of the Istanbul Anti-Corruption Action Plan.

## 3. ROUND TABLE DEDICATED TO THE 10<sup>TH</sup> ANNIVERSARY OF THE ISTANBUL ACTION PLAN

The Steering Group took note of the Round Table dedicated to the 10<sup>th</sup> anniversary of the Istanbul Action Plan that was organized back-to-back with the 12<sup>th</sup> Monitoring Meeting.

## 4. ACN WORK PROGRAMME 2013 – 2015: UPDATE ON IMPLEMENTATION

**Mrs Olga Savran**, ACN Manager, provided an update on the implementation of the ACN Work Programme in 2013 and outlined the next steps.

Mrs Savran informed the delegates about two new ACN publications, including “Anti-corruption Reforms in Eastern Europe and Central Asia: Progress and Challenges, 2009 – 2013”<sup>1</sup> and “Ethics Training for Public Officials”<sup>2</sup>.

Mrs Savran reminded that the third round of monitoring under the Istanbul Anti-Corruption Action Plan was called to focus practical implementation of anti-corruption standards and laws and the effectiveness of anti-corruption measures and invited the Steering Group members to share their views how this focus can be further strengthened. She also noted that if any of the Istanbul Action Plan countries intend to undergo integrity scans under the OECD's *CleanGovBiz* initiative, it is important to ensure proper coordination with the monitoring of the Istanbul Anti-Corruption Action Plan.

She recalled the schedule for reviews and monitoring under the Third Round until the next plenary meeting as follows:

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<sup>1</sup> More information about the report “Anti-corruption Reforms in Eastern Europe and Central Asia: Progress and Challenges, 2009 – 2013” is available [here](#).

<sup>2</sup> The report “Ethics Training for Public Officials” is available [here](#).

- Azerbaijan and Georgia: the monitoring reports will be published within one month after the meeting, the return missions to present the reports in the countries will take place in November 2013;
- Ukraine: the on-site visit will take place on 16-20 December 2013; Tajikistan: on-site visit will take place on 20-25 January 2014; Mongolia: answers to the review questionnaire are expected by 15 November 2013;
- Next monitoring meeting to be held on 26-28 March 2014 in Paris and will discuss reports on Ukraine, Tajikistan and Mongolia.

Concerning the monitoring teams, the Secretariat will continue ensuring a balanced representation of ACN countries to ensure the effectiveness of peer review process. Monitoring teams will be established with the view to have one working language – English or Russian, in order to avoid translation and communication problems. Mrs Savran recalled that training for monitoring experts could be considered, if there is interest.

Mrs Savran informed the group that a new project supporting civil society's participation in the monitoring of the Istanbul Action Plan would be carried out as a part of the ACN Work Programme with the support provided by the UK's DFID. The project will involve training for NGOs from Kyrgyz Republic and Tajikistan to build their capacity for participation in the anti-corruption monitoring.

Mrs Savran informed about the three ACN thematic studies launched in 2013:

- Business Integrity Thematic Study (which started with consultations in Vilnius, in April 2013 and will involve the first meeting of the Business Advisory Board on 25 October 2013, in Istanbul);
- Prevention of Corruption Thematic Study (the Anti-Corruption Policy and Prevention seminar held in Jūrmala in June 2013); and
- Criminalisation of Corruption Thematic Study (to be conducted in co-operation with the ACN Law-Enforcement Network).

All three thematic studies will involve the following common elements: Advisory Groups/Board, the questionnaires to collect the good practices that will be sent for the contact points in the OECD and ACN countries shortly; reports with recommendations and regional seminars. **The Steering Group members were invited to send their written comments on all three proposals of the Thematic Studies by 15 October 2013.**

Mrs Savran described the framework of evaluation of ACN activities that is the new element of the ACN Work Programme. The evaluation process will consist of two parts, namely:

- Internal evaluation by the Steering Group: including questionnaires from the Secretariat sent to National Coordinators, experts and partners;
- External evaluation: mid-term external evaluation, *i. e.* second half of 2014, to be conducted by external consultants. The evaluation report with the recommendations for improvements should be ready for the second half of the ACN Work Programme for 2013-2015.

The results of the evaluation will be made available for the Steering Group and donors.

Finally, Mrs Savran informed that new voluntary contribution for the ACN was made by the Principality of Liechtenstein in the amount of 30,000 USD. The Steering Group was informed that the funding necessary for the implementation of the Work Programme in 2013 was secured by voluntary contributions by

Switzerland, the United Kingdom and the United States. However, additional funding for activities in 2014 is required. Mrs Savran also underlined the importance of in-kind contributions by ACN countries, for example, hosting events, funding national experts, covering various expenditures related to the work programme implementation.

The **discussion** that followed focused on country progress reports under the Istanbul Anti-Corruption Action Plan. Delegates agreed that progress reports were useful for countries and monitoring teams to follow-up on developments between monitoring reports, but the quality of these reports and focus on implementation of recommendations could be improved. They proposed several approaches, including (1) complementing the current self-reporting with an assessment by monitoring experts and the Secretariat, (2) possibility to reflect progress made on specific recommendations, (3) developing a standard format for country reports, which would focus on implementation of recommendations, include the assessment by monitoring experts and the Secretariat and reflect the progress made on specific recommendations. The Steering Group invited the Secretariat to prepare a proposal on the new methodology for country progress reports before the next Steering Group meeting and circulate it for the written comments. Delegates suggested that the Secretariat draw on the experience of GRECO compliance reports, MONEYVAL follow-up policy and the OECD Working Group on Bribery when developing this proposal.

Delegates expressed support to training of monitoring experts. They suggested that the Secretariat elaborate guidelines and reference materials for the monitoring experts. They also agreed that experts attending such training should also be available for the work in monitoring teams. Delegates further noted that continuity of country representation in the monitoring and Steering Group meetings was important to building expertise and ensure the effectiveness of ACN activities.

Delegates expressed support to external mid-term evaluation. They stressed the importance to further involve civil society in the monitoring work. Regarding thematic reviews, delegates pointed out that the timing for sending questionnaires of different thematic reviews should be coordinated by the Secretariat to avoid overlaps.

## 5. UPDATE ON GRECO ACTIVITIES

**Ms Liubov Samokhina**, GRECO Secretariat, Council of Europe, summarised the findings of GRECO's Third Evaluation Round and noted that, while most member States had shown progress in criminalising corruption offences as required by the Criminal Law Convention on Corruption, achieving transparency of political financing was often precluded by the lack of political will and demanded more focused attention. The main findings of the GRECO's Fourth Evaluation Round in the field of conflicts of interest was the lack of relevant regulation or too broad regulations failing to take into account the specific parliamentary or judicial context (e.g. for MPs and judges), as well as lack of proper implementation, rules of professional conduct, advice and guidance. Also, fluctuations in the levels of public trust vis-à-vis judges and prosecutors in some of the member States underscored the importance of enhanced transparency and accountability. In 2014, the following ACN countries will be hosting Fourth Round on-site visits: Azerbaijan, Bulgaria, Hungary, Lithuania, Montenegro and Serbia. Ms Samokhina further informed that, in June 2012, GRECO appointed a gender rapporteur (representative of the Czech Republic) to mainstream a gender perspective into its anti-corruption policies and activities.

## 6. THEMATIC STUDY ON BUSINESS INTEGRITY

**Mrs Olga Savran** presented the proposal for the Thematic Study on Business Integrity. This study aims to raise the awareness about business integrity, identify and promote good practices, develop recommendations, and provide training for practitioners from both the governments and from the business sector. The study will be led by the Secretariat and external consultants with the assistance of the informal open-ended Advisory Board composed of the experts of ACN Steering Group, selected governments, companies and business associations, civil society representatives, researchers, academics and individuals who may contribute to the review. To prepare the study, the Secretariat will use a questionnaire based on the international standards and good practice, including the UN and OECD anti-corruption conventions, public sector integrity and corporate governance instruments.

Both governments and business associations of ACN and selected OECD countries will be invited to fill out the questionnaire. The Steering Group members are invited to advise the Secretariat about suitable contacts both in their governments and in the business sector.

During the **discussion**, delegates welcomed proposal of the Secretariat to address the role of business in fighting corruption and supported proposed methodology. They advised the Secretariat to make use of the relevant expertise of other international organisations and their projects in this thematic review. They proposed to consider the possibility of splitting the questionnaire into separate ones for the Government and private sector.

## **7. THEMATIC STUDY ON PREVENTION OF CORRUPTION**

**Ms Inese Gaika**, ACN Project Manager, presented the Thematic Study on Prevention of Corruption. This review aims to identify and promote successful corruption prevention tools and good practice examples, identify common trends and develop regional policy recommendations. The thematic review will be led by the Secretariat and external consultant that will be assisted by the Advisory Group, composed of the experts coming from the ACN and OECD countries, civil society representatives, researchers, academics and other individuals who may contribute to the study. The review will involve a standard questionnaire seeking to identify successful corruption prevention tools on national level and in corruption prone sectors. The thematic review will result in a report including a comparative study and case studies, as well as regional seminars, including the seminar held on 26-27 June 2013 in Jūrmala, Latvia and seminars planned in June 2014 and in 2015.

During the **discussion**, delegates supported the proposal and stressed that this thematic study should focus on implementation and practical examples of corruption prevention. It was suggested that it may be useful to focus the review on selected priority areas. Given that this study aims to look only into successful prevention tools, guidance as to what is “successful” would be useful. One country suggested including not only successful practices, but also failures. GRECO invited to use Council of Europe’s analytical reports and involve its field offices.

## **8. THEMATIC REVIEW ON CRIMINALISATION OF CORRUPTION AND LAW ENFORCEMENT NETWORK**

**Mr Dmytro Kotliar** and **Ms Tanya Khavanska**, ACN Project Managers, presented the Thematic Review on Criminalisation of Corruption. They noted that while the methodology for this Thematic Study is similar to the other two studies, and will include the advisory group, questionnaires and expert seminars, there is one difference. The thematic study on criminalisation will cover three issues, including responsibility of legal persons for corruption, offence of foreign bribery and international cooperation in the investigation of corruption cases. The Thematic Study will include three separate reports on these issues, and will

involve three separate questionnaires. Each meeting of the ACN Law Enforcement Network will focus on one of the issues. The Steering Group members were invited to express their interest in participation in this thematic review and to nominate experts for the Advisory Group that will assist the Secretariat and experts during this thematic review.

During the **discussion**, the Steering Group expressed support for this thematic review.

## **9. CLOSING OF THE MEETING**

It was agreed that the Secretariat will prepare the draft summary record and circulate it to participants for written comments and adoption. The next ACN Steering Group will take place in March 2014.