



**Organisation for Economic Co-operation and Development (OECD)**  
**OECD Anti-corruption Network for Eastern Europe and Central Asia (ACN)**

**21<sup>st</sup> ACN STEERING GROUP MEETING**

16 September 2016

OECD, 2 rue André-Pascal, 75016 Paris

**SUMMARY RECORD**

The summary record was prepared by the ACN Secretariat. It summarises the discussion and decisions taken at the 21<sup>st</sup> ACN Steering Group meeting on 16 September 2016. This summary record has been endorsed during the 22<sup>nd</sup> ACN Steering Group meeting on 14 September 2017. For further information, please contact ACN Secretariat, tel.: +33 1 45 24 13 81, e-mail: [olga.savran@oecd.org](mailto:olga.savran@oecd.org).

## 1. Opening

The 21<sup>st</sup> ACN Steering Group Meeting took place on 16 September 2016, at the OECD Headquarters in Paris, back-to-back with the 17<sup>th</sup> Monitoring Meeting of the Istanbul Anti-Corruption Action Plan and the roundtable on Anti-Corruption reforms and strengthening integrity in Ukraine (see meeting page [here](#)). The Steering Group meeting was co-chaired by **Mr Patrick Moulette**, Head of Anti-Corruption Division, OECD and **Ms Zauresh Baimoldina**, Vice-Minister of Justice of Kazakhstan. The Steering Group adopted the 20<sup>th</sup> Steering Group meeting [Summary Record](#) and the [Agenda](#) for the 21<sup>st</sup> meeting.

## 2. Launch of the Summary Report, Anti-Corruption Reforms in Eastern Europe and Central Asia, Progress and Challenges, 2013-2015

ACN Secretariat representative, **Mr Dmytro Kotliar** presented the Summary Report, [Anti-Corruption Reforms in Eastern Europe and Central Asia, Progress and Challenges, 2013-2015](#), a key publication of the ACN summarizing progress achieved in anti-corruption measures and the remaining challenges in the region under the three broad areas: a) anti-corruption policies and institutions, b) criminalisation of corruption and law enforcement and c) measures to prevent corruption in public administration and the business sector. The report is based on the IAP monitoring reports and ACN thematic studies covering all countries in the region, as well as available open sources. The analysis is backed up with the examples of good practice from the region and comparative cross-country data. The report includes regional recommendations that will provide guidance for the new ACN work programme as well as for the IAP monitoring.

The ACN officially launched the publication at this meeting. The presentation was followed by questions and answers.

## 3. Tour de Table

*Tour de Table* is a special session of the Steering Group meetings providing an opportunity to the ACN countries (especially those that are not part of the IAP process), to update the meeting participants about the significant anti-corruption initiatives, successful reforms that can be promoted as good practices in the region, and to raise the issues requiring regional attention before the plenary. *Tour de Table* of the 21<sup>st</sup> meeting focused on the Anti-Corruption Strategy Evaluation of **Romania** and the selected anti-corruption sectoral reforms in the countries from **South East Europe**.

The following countries made brief presentations: Romania, Bosnia and Herzegovina, Croatia, FYROM, Montenegro and Serbia. Regional Anti-Corruption Initiative (RAI) made a presentation as well. GRECO Secretariat provided an update.

The Ministry of Justice of **Romania** requested the ACN Secretariat to support the independent evaluation of the implementation of the National Anti-Corruption Strategy (NAS) 2012-2015. The draft evaluation report prepared by external consultants from Estonia and Latvia in coordination with the ACN Secretariat was presented in Bucharest in May 2016. The report highlights the significant progress in enforcement of anti-corruption criminal and administrative legislation by the DNA and by the National Integrity Agency (ANI), anti-corruption reforms in the Ministry of

Interior, as well as the key role the NAS played in mobilising all state bodies and non-governmental partners in their anti-corruption efforts. The report also identifies challenges such as the sanctions in corruption cases not being deterrent of corruption. The report recommends that the new strategy should focus on awareness raising, ensuring integrity and transparency in the selected sectors and public procurement.

Brief intervention from the delegate from Romania **Ms Anca Jurma**, National Anti-Corruption Directorate of Romania, to thank the ACN and its consultants for their work and useful recommendations for the new anti-corruption strategy was followed by the presentation from **Ms Mari-Liis Sööt**, Ministry of Justice of Estonia, who served as an external consultant for the ACN for this exercise. Ms Sööt underlined the cooperative spirit and willingness of the national authorities to improve the work on anti-corruption. She informed that the most of the recommendations from the evaluation have been reflected in the new strategy. The focus from enforcement needs to be shifted to prevention activities and the government needs to carefully prioritize in order to accomplish more by doing less pointed out Ms Sööt.

**GRECO Secretariat** updated the Steering Group about the changes in their staff and the ongoing evaluations under the fourth evaluation round. The report on Georgia will be adopted in October. Evaluation of Ukraine will take place in 2016-2017. The preparations for the fifth thematic evaluation round under the title *Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies*, are to be finalized in October. There are important issues yet to be resolved with regard to the scope of evaluation, which persons will be covered under the central government and how the selection of the law enforcement agencies will be made. Enforcement will be an important focus of the fifth round.<sup>1</sup>

**Bosnia and Herzegovina** spoke about the national anti-corruption strategy, sectoral strategies and the work of the Agency for the Prevention of Corruption and Coordination of the Fight against Corruption on implementation. The Agency exists since 2009 but in reality it started functioning in 2013. Its functions involve coordination of anti-corruption work at all levels. Agency is working on integrity plans for all institutions and is half way through in this exercise. Soon they will carry out evaluation of the first year of the strategy implementation. Agency is using a special database for this work. Bosnia and Herzegovina's practice of protecting the whistleblowers has also been highlighted and a successful case of reinstating the whistleblower dismissed from his job.

**Croatia** presented the results of the national survey on the causes of high perceived level of corruption in the judicial branch in the Republic of Croatia that focused on three target groups: general public, court users and the court employees. The results of the survey showed a need for better transparency of the appointment processes for high level judiciary officials and preventing risks of improper political influence on judiciary as well as adopting the effective communication policy for the judiciary.

**FYROM** spoke about their experience in 3 areas: monitoring of national strategy, ethics training and the web-based methodology for tracking corruption. The representative stressed that it is difficult to invent brand new mechanisms for prevention of corruption however, what the

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<sup>1</sup> The final questionnaire for GRECO fifth evaluation round is available [here](#).

countries can do is see what works in their context and persistently implement these measures. The monitoring of national strategy involves a web-based application where 70 institutions are plugged in and are obliged to report biannually. They can submit their reports online within the pre-determined 15-days period, after which the application is closed for further inputs to prevent disrespecting the deadline. The analysis is based on various sources and involves quality check of implementation as well as why the measures have not been implemented. Annual conferences are organized to discuss the results. Ethics training are conducted through e-learning tools and involve 3 modules. As to the statistics on corruption, FYROM decided to address the issue of fragmented data collection with the new methodology. The new system allows collecting data on disciplinary procedures, conflict of interests, asset declarations, audit of assets, etc.

**Montenegro** informed the participants about establishment of the *Agency for Prevention of Corruption*, which began its operation on 1 January 2016. The Agency is a central preventive anti-corruption body in Montenegro, established by the *Law on Prevention of Corruption*. The Agency also monitors the implementation of the *law on financing of political parties and election campaigns* and the *law on lobbying*. Montenegro informed about the structure of the Agency, the procedure of election of its Director, financial and functional independence of the Agency. Montenegrin representative presented the system of anti-corruption monitoring in Montenegro.

**Serbian** representative highlighted the mechanism of targeted and extraordinary control of asset declarations and the tools for verification the independent authority - Anti-Corruption Agency is using. Serbia provided information about the judicial follow-up and the sanctioning policy for corruption related violations reported to the relevant authorities by Anti-Corruption Agency. Additionally, the monitoring of implementation of anti-corruption policy and the important contribution of the civil society in the process has been described reflected in the annual anti-corruption reports of the Anti-Corruption Agency of Serbia.

**RAI** presented an update on the initiative *International Exchange of Data for Verifying Asset Declarations in Southeast Europe*. The draft of International Agreement on Exchange of Data for Verifying Asset Declarations has been discussed at various meetings of RAI in 2015-2016. **Mr Dubravica**, Chairperson of RAI spoke about the rationale for exchanging the data and fundamental principles of the Agreement as well as existing challenges for the way forward to adopt the Agreement in question.

#### **4. ACN Fundraising Strategy**

##### ***Presentation***

**Mrs. Olga Savran**, Manager of the ACN presented the draft ACN Fundraising Strategy for adoption. The draft Strategy was prepared by the Secretariat upon the invitation by the Steering Group at its 20<sup>th</sup> meeting to develop an operational Fundraising Strategy. The objective of the Strategy is to ensure that the necessary funding for the effective implementation of the ACN Work Programme for 2016-2019 is raised and to build financial stability of the ACN activities in the longer term. The Strategy highlights the main risks and opportunities and provides for the fundraising actions according to the following main funding directions: OECD budget, OECD member contributions, cooperation with International Organisations and in-kind contributions, voluntary financial contributions and membership fees by ACN countries. Strategy also discusses

the sub-regional and country projects (Ukraine, Kyrgyzstan) and proposes to intensify the work to explore opportunities for joint activities with the new partners (EU, foundations, training centres and private sector). The action plan for the implementation of the Strategy in 2016-2017, which is a part of the document, outlines the specific fundraising actions in line with the main directions mentioned above. Annex contains the suggested scheme for membership fees.

### ***Discussion***

**UNDP** underlined the existing good practice of co-organising events with the ACN, the objectives and goals of UNDP and ACN are aligned and complementary. ACN's policy work is extremely relevant for the UNDP at the local level. UNDP is following the documentation produced by the ACN with great interest and is looking forward to formalizing the partnership with the ACN.

**OSCE** suggested splitting the budget into various categories and circulating it ahead of the financial year, so that partners could choose what to fund, which would help finding funding for the relevant activities.

**EBRD** stressed that they always had close partnership with the ACN. Building on the new study on Business Integrity, EBRD is exploring funding the joint project, regional seminars to increase awareness of corruption risks and guidance to mitigate those risks in private sector.

**Azerbaijan** expressed its full support to the comprehensive Work Programme of the ACN for the coming years and stressed the importance of the IAP process. In order to make ACN's operation stable Azerbaijan is ready to continue financing participation of their delegations in the meetings and financially support the activities held in Azerbaijan. At the same time, Azerbaijan is considering other forms of financial support. In general, Azerbaijan supports the idea of the membership fees and to this end considers an official letter from the OECD to the authorities to be a good idea. Azerbaijan also spoke about the recent meeting of the Association of Prosecutors in Dublin main topic of which was the mutual legal assistance and stressed the importance of ensuring synergies of the work of various international organisations working on the same issues.

**Switzerland** thanked the ACN secretariat for drafting an excellent strategy. Switzerland is funding the work of the ACN since 2003 and considers that the financial contributions from the ACN countries are crucial to close the existing funding gap.

**Liechtenstein** thanked the Secretariat for preparing the Strategy as well, which enumerates a lot of different activities to be carried out by the Secretariat, thus suggesting focusing on some of them selectively. Liechtenstein underlined the importance of synergy of the work of international organisations and thanked those who spoke about the joint activities with the ACN. Despite being a non-member of the OECD, Liechtenstein decided to continue supporting the ACN this year as well. At the same time, the engagement, commitment and ownership by ACN countries is important, thus it would be crucial to find out to what extent the ACN countries can contribute on a longer term basis through the membership fees. Ownership of the OECD countries is important as well, not many of them are supporting the ACN now, and thus, raising awareness of the ACN within the OECD is also a good idea.

**Armenia** reiterated its support to the ACN Work Programme through various funding options such as financing their own delegates, translating the work of the ACN and other forms of in-kind

contribution. Regarding the membership fees some type of legal relationship with the OECD/legal basis for membership fees may be necessary to allow allocation of the amount from the state budget.

**RAI** gave its example of membership fees based on the MOU to suggest that membership fees could be also possible if the relationship between the ACN and its member countries is formalized.

**Montenegro** raised the question of reappointment or reconfirming the national coordinators in the context of who would discuss the funding issues with the national authorities, on which Secretariat responded that the letter can be provided with this purpose if the countries need it.

**Kazakhstan** reiterated its support to the ACN's monitoring and thematic work as well as the proposed fundraising strategy. It noted that there will be no objection to the membership fees either, however, formalized relationship is needed in order to get the approval from the Parliament to allocate the funding from the state budget.

**Serbia** noted that while it cannot give the answer regarding the funding at this stage it may be a good idea to have a joint funding from various donors. The Secretariat responded that in a way the idea of the Work Programme is that the funding is not provided to a specific activity per se but is contributing to the general budget of the Work Programme adopted by the Steering Group as a whole.

**Ms Enery Quinones**, the Chair of the Istanbul Anti-Corruption Action Plan, pointed out that the MOU and formalized relations with the OECD could indeed facilitate participation of international organisation, such as World Bank, in this group and further cooperation with them. Internal consultations have to be held on this issue in the OECD.

### ***Adoption of the Strategy***

The steering group **adopted the strategy**, full text is available [here](#). The **Secretariat** thanked the Steering Group for the constructive advice to move forward with the adopted strategy. ACN will explore the possibilities overcome the obstacle of the lack of legal basis for membership fees. In addition, ACN will work with the countries individually to see what the best way to approach each of them formally is and will send out the letters with the adopted Strategy accordingly.

## **5. Topical updates from OECD Directorates**

The session focused on the topical updates from various OECD Directorates.

- **Mr Alan Paic**, Head, Southeast Europe Investment Compact, Global Relations Secretariat spoke about the *Competitiveness in South East Europe: A Policy Outlook 2018* and its chapter on Anti-Corruption. Information on the previous edition of the policy outlook can be accessed [here](#).
- **Mr William Tompson**, Head, Eurasia Division, Global Relations Secretariat informed the steering group about the ongoing and planned activities.

- **Ms Tihana Bule**, Investment Division, Directorate for Financial and Enterprise Affairs informed about the work on Responsible Business Conduct in Georgia and Ukraine.
- **Mr Jeroen Michels**, Policy Analyst, Public Sector Integrity, Public Governance and Territorial Development Directorate presented the work on Public Sector Integrity. Access more information [here](#).
- **Mr Wojciech Zielinski**, SIGMA, Public Governance and Territorial Development Directorate made a presentation on SIGMA's work on *the Principles of Public Administration*. More information can be found [here](#).
- And **Ms Catherine Anderson**, Advisor, Natural Resources and Development Unit, OECD Development Centre discussed the key findings of the publication Corruption in the Extractive Value Chain. For more information see the [page](#).

## 6. ACN Work Programme Implementation

**Mrs Olga Savran**, the ACN manager provided an update on the implementation of the ACN Work Programme in 2016.

- The regional seminar on prevention of corruption at the sector level (education and extractives) focused on the 12 countries in the region was held in May in cooperation with the OSCE Centre in Bishkek in Issyk-Kul, Kyrgyzstan Corruption prevention in state bodies. The proceedings of the seminar are available [here](#).
- ACN is developing a study on corruption prevention at sector level, compilation of good practice examples from its member states covering selected sectors. The draft will be available at the next meeting.
- The next meeting of the Law-Enforcement Network will be held in Astana, Kazakhstan in December, 2016. The main topics of the meeting are: International Cooperation for Corruption Cases, Independence of Prosecutors and Confiscation. The draft study on International Cooperation will be presented for discussion and comments and the new study on confiscation will be launched. Meeting is mainly funded by the host, the government of Kazakhstan.
- The thematic study on Business Integrity was published. The expert seminar will be held in Ukraine in cooperation with the EBRD, UNDP and business associations.
- The next activities under the country project on Kyrgyzstan will be to finalize the analysis of the draft criminal legislation adopted with the second reading by the Parliament of Kyrgyzstan for their compliance with international anti-corruption standards and the Workshop on Liability of Legal Persons for Corruption Offences. More information can be found [here](#).
- Preparation of the annual activity report of the ACN will be launched early 2017. The Secretariat will collect information using ACN performance indicators. The report will be presented at the ACN plenary meeting in 2017.
- The next Steering Group meeting is planned in June 2017.

## 7. Closing

The co-chair **Ms Zauresh Baimoldina**, summarized the meeting and congratulated the Steering Group for its successful work. Meeting was closed.