Organisation for Economic Co-operation and Development (OECD)

OECD Anti-corruption Network for Eastern Europe and Central Asia (ACN)

19th ACN STEERING GROUP MEETING

9 October 2015

OECD, 2 rue André-Pascal, 75016 Paris

SUMMARY RECORD

1. INTRODUCTION

The 19th ACN Steering Group Meeting took place on 9 October 2015, at the OECD in Paris, back-to-back with the 16th Monitoring Meeting of the Istanbul Anti-Corruption Action Plan on 8-9 October, and the joint session with the OECD DAC Anti-Corruption Task Force on 7 October. The Steering Group Meeting was co-chaired by **Mr. Patrick Moulette**, Head of Anti-Corruption Division, OECD and **Mrs. Anca Jurma**, the National Anti-Corruption Directorate, Romania.

The Steering Group took note of the 18th Steering Group's meeting Summary Record, which is available here, and adopted the proposed agenda for this meeting.

2. 16th MONITORING MEETING OF THE ISTANBUL ANTI-CORRUPTION ACTION PLAN

The Steering Group took the note of the 16th Monitoring Meeting of the Istanbul Anti-Corruption Action Plan that took place on 8-9 October 2015. At this meeting the third round monitoring report on Uzbekistan and the joint first and second rounds of monitoring report on Mongolia were adopted, as well as progress updates of Armenia, Azerbaijan, Georgia, Kyrgyzstan, Kazakhstan, Tajikistan, Ukraine and Uzbekistan. The adoption of these reports has completed the third round of monitoring under the Istanbul Action Plan. The Istanbul Action Plan Monitoring Meeting was chaired for the last time by **Mr. Daniel Thelesklaf**, Liechtenstein. The new Chair **Mrs. Enery Quinones** was introduced at this meeting.

3. ACN AND OECD DAC ANTI-CORRUPTION TASK FORCE JOINT SESSION

The Joint Session of the ACN and the OECD DAC Anti-Corruption Task Team was organised on 7 October 2015. It was dedicated to the effectiveness of donors' assistance to anti-corruption reforms, through the experiences of Eastern Europe and Central Asia counties. The session was co-chaired by **Mr. Phil Mason,** Chair of the OECD DAC Anti-Corruption Task Team, and **Mr. Daniel Thelesklaf,** Chair of the OECD ACN Istanbul Anti-Corruption Action Plan. Two country cases studies were presented, highlighting the benefits and challenges of donor – recipient partnerships and how they help partner countries to move forward with their anti-corruption agendas. First, **Ms. Ekaterine Zguladze-Glucksmann**, the former Vice-Minister of Internal Affairs of Georgia and the first Deputy Minister of Internal Affairs of Ukraine, together with **Mr. Christophe W. Smith**, US Embassy in Ukraine, presented the example of US-supported patrol police reform in Ukraine. **Ms. Zguladze-Glucksmann** first discussed similar experience in Georgia and then in Ukraine, where in summer 2015 traffic police was disbanded in Kyiv (and later in several other cities) and replaced by newly recruited and retrained police force. Georgian example shows how these reforms are sustainable, since over the past 7 years the reformed patrol police has maintained a stable and high level of public trust in it. After the recent reforms in Ukraine also the trust of the public in the police increased from 3% to 60%. **Ms. Zguladze-Glucksmann** emphasized the importance for donor assistance to help to create institutions that people would support and to support reforms that are locally owned, but also that lead to inspiring examples, produce positive signal. **Mr. Smith** emphasized the importance of shared responsibility of the donor and recipient country, the commitment on both sides and the importance of reforms to be owned by people of reforming country.

Further, **Mr. Tilek Saekbaev**, the Head of the Anti-Corruption Monitoring Division, Government of Kyrgyzstan, and **Ms. Jana Kunicova**, the World Bank, shared lessons learned by the World Bank in supporting anti-corruption activities in Kyrgyzstan. Mr. Saekbaev emphasised the importance of political will and the role of state institutions and also the positive, stimulating role for the Government coming from the civil society pressure. Mr. Saekbaev named out such practical and useful activities funded by donor assistance as training, research studies, educational materials, hiring consultants, support in legal drafting. 20 methodologies, various videos were produced. **Ms. Kunicova** highlighted the reasons of assistance in fighting corruption and forms of assistance provided such as institutional capacity building for Anti-Corruption Division in Kyrgyzstan and more practical assistance in drafting of laws and strategic documents, what appeared to be particularly valuable form of assistance. **Ms. Kunicova** stressed that World Bank supports reforms in sectors, including fighting corruption in them. She also stressed importance of communication, information campaigns about undoing and upcoming reforms.

Mr. Valts Kalnins, Centre of Public Policy "Providus", Latvia, presented the recent ACN study ["Corruption Prevention in the Public Sector in Eastern Europe and Central Asia"](#) and discussed the lessons learned and findings on preventing corruption based on this study. Ms. Molly Lien, SIDA, Sweden, explained the objectives of development assistance of Sweden and provided examples of anti-corruption projects funded by Sweden in this region.

Presentations from this joint session can be found on OECD website [here](#).

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 2015. **Ms. Tanya Khavanska** presented the Ukraine anti-corruption project.

Mr. Dmytro Kotliar presented the upcoming ACN study "Foreign Bribery Offence and its Enforcement in Eastern Europe and Central Asia". Mr. Kotliar informed that a second round of comments was just finalised and certain parts in the report still need attention. The following countries were asked to provide further comments: Albania; Bosnia and Herzegovina; Croatia; and Romania. Mr. Kotliar then presented the main issues in the report, including so far only two cases of enforcement in the region - in Bulgaria where sanctions have been applied and Romania where the case was filed at the court. ACN countries were asked to inform the Secretariat, if there is other enforcement practice. Further, the structure of the report and its policy recommendations were presented.

Mr. Valts Kalnins presented the draft ACN study on business integrity. Mr. Kalnins noted that the study will look into two aspects of integrity in business: Prevention of engagement in corruption and prevention of breach of trust within companies; and activities by governments, business associations and companies. Based on research done under this project, Mr. Kalnins presented the most important business integrity risks, activities by business associations and some examples of business integrity actions by governments.

Mrs. Rusudan Mikhelidze presented the ACN draft questionnaire for the upcoming study on the international co-operation in corruption cases and invited countries to nominate members to its Advisory Group.

Mr. Dmytro Kotliar informed about the preparation of the upcoming ACN summary report for 2013-2015.[1] This report is prepared by the Secretariat and will provide an overview of trends, achievements and challenges mostly in IAP, but also other ACN countries. The report will be sent out for comments in few months. The Steering Group was invited, if there is interest, to provide to the Secretariat case studies.

Mr. Kamran Aliyev, **Azerbaijan**, informed about the establishment of the Network of Anti-Corruption Prosecutors - NACP - under the International Association of Prosecutors. Mr. Aliyev stressed that the main idea behind NACP is to share information and best practice. He described the plans to develop a password-protected contact list. More information is available here: http://www.iap-association.org/NACP/Home.aspx.

5. TOUR DE TABLE: RECENT ANTI-CORRUPTION STRATEGIES IN ACN COUNTRIES

A tour de table on recent anti-corruption strategies and action plans in ACN countries was organised. The discussion was organised around anti-corruption strategies adopted over the past year.[2] Short presentations were made by Croatia, Armenia, Kyrgyzstan and Ukraine, followed by discussion.

Croatia discussed its anti-corruption action plan for 2015 and 2016 adopted by the Government in July 2015 which aims to implement the anti-corruption strategy of 2015-2020 and takes a **sectorial approach**. The intention is to bring together specialists from the sector to identify the specific risks, at the same time involving them.

Armenia discussed its new Anti-Corruption Strategy and Action Plan 2015-2018 adopted in September by the Government. Armenia also highlighted that the strategy focus on specific areas, in which sectoral strategies will be elaborated and actions taken will be reviewed. For example, **public administration and public service delivery reform** is one of such areas. Another priority of the strategy is **prevention of conflicts of interest** among both public officials in general and high ranking officials in particular. In identifying sectors **civil society** participated and surveys were used (Transparency International, national surveys). Health care sector was identified in this way.

Kyrgyzstan discussed its March 2015 Action Plan to implement the 2015-2017 Anti-Corruption Strategy. For the first time **civil society** and donors played an important role in developing the plan. The plan can be characterised by three features: concise; focused; and realistic. Kyrgyzstan said the plan now has only 30 measures and it will therefore be easier to monitor its implementation. The plan is not focused on specific sectors, all areas are covered and each state institution is in charge of identifying corruption risks within it. The main challenge therefore remains to motivate state bodies and their management to implement the plan. Such areas as business integrity and political corruption feature in the new plan.

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[1] The previous ACN summary report was published in 2013: OECD (2013), *Anti-Corruption Reforms in Eastern Europe and Central Asia. Progress and Challenges. 2009-2013*, OECD Publishing.

[2] A Compendium was prepared by the Secretariat including the following anti-corruption strategies and action plans adopted in October 2014 – October 2015: Ukraine; Croatia; Lithuania; Uzbekistan; Albania; Armenia; Georgia; and Kyrgyzstan. The Compendium is available under request.

In **Ukraine** the anti-corruption programme adopted in October 2014 was developed involving an **expert group**. It includes a separate **section with indicators** following suggestion of international partners.

Based on its experience in implementing anti-corruption strategies, **Serbia** noted the importance of indicators, clear allocation of tasks and sources of funding, as well as reflecting risks assessed in integrity plans, using surveys and inputs by academia and experts. Serbia described its fairly developed **implementation monitoring mechanism**, including a high level coordination mechanism, the Anti-Corruption Agency, an online reporting software for implementing agencies, public hearing meetings where institutions report results, alternative reports by three NGOs.

During the discussion, **Mr. Gabriele Liotta,** the European Bank for Reconstruction and Development (EBRD), informed that next year the EBRD intends to adopt an anti-bribery management instrument for businesses that can be used in anti-corruption strategies.

6. ACN WORK PROGRAMME 2016 – 2019: DISCUSSION AND ENDORSEMENT

Mrs. Olga Savran reminded the main steps in drafting the ACN Work Programme 2016-2019 and the Istanbul Anti-Corruption Action Plan Methodology for the Fourth Round of Monitoring. She noted that the Steering Group members were very active in reviewing the proposals made by the Secretariat and provided a significant number of useful and substantive comments.

Mrs. Savran then presented the draft ACN Work Programme 2016-2019 and the Istanbul Anti-Corruption Action Plan Methodology for the Fourth Round of Monitoring for discussion and proposed to the Steering Group to endorse them. A High Level Meeting may be organised in 2016 for political endorsement of these documents and for expressing support for funding and in-kind contributions.

Istanbul Action Plan Fourth Round of Monitoring

The Steering Group welcomed important novelties in the Methodology for the Istanbul Action Plan 4th Round of Monitoring. In order to demonstrate effectiveness of implementation, countries will be required to provide **information on corruption cases, in particular statistics on numbers of cases and final court decisions in selected cases**. It was noted during the discussion that in some countries getting such information will not pose a problem, while it others it can be a challenge. The Secretariat clarified that information about cases and law-enforcement statistics will be used in the next round of monitoring an indicator of the overall effectiveness of anti-corruption policies, laws and institutions, and not as a goal in itself, i.e. success of countries will not be assessed solely on the basis of the number of cases and other statistical data. The Secretariat further clarified that information about cases can be presented in anonymised manner.

The Istanbul Action Plan 4th Round of Monitoring Methodology also includes **the in-depth study of corruption in a selected sector**. Such sector will be selected individually for each country and a specific questionnaire will be elaborated. All aspects of corruption prevention and enforcement measures in this sector will be studied. During the discussion, it was noted that in order to select the sector publicly available information such as surveys on sectors should be used.

The Steering Group also welcomed that the **outline of the reports** will be streamlined. The importance of more concise and realistic **recommendations** was highlighted. The Secretariat was invited to develop guidelines or template for drafting of the assessments and recommendations.

A discussion took place regarding **ratings in progress updates**. It was suggested to use a new rating - "partially implemented". However, an agreement to introduce such new rating was not reached. The Chair reminded of the OECD WGB policy to only take into account adopted legislation.

It was agreed that the Secretariat will propose changes in the methodology of progress updates and send to the Steering Group for final confirmation through written procedure. The Secretariat will also develop an outline for the 4th round of monitoring reports.

Prevention of corruption

The Secretariat reminded that initially proposal was to establish an informal network of prevention practitioners, but taking into account comments received during the review process, this activity will not involve establishing a new institutional framework. However, the rest of the proposal will be maintained, and the future activities in this areas will focus on disseminating of the Thematic Study "Prevention of Corruption in the Public Sector" that was published in 2015 and promotion of its recommendation, elaboration of several new smaller, more targeted studies about selected topics and organisation of seminars for practitioners to identify new good practices. During the discussion proposals to exchange country materials, including on ACN website, were made.

Criminalisation and Law Enforcement Practitioners Network

Following successful studies in the area of criminalisation under the 2013 – 2015 Work Programme, more such studies will be developed under the new Work Programme. Law Enforcement Practitioners Network (LEN) meetings will be organised in the region and, when possible, back to back with the meetings of the OECD WGB Law Enforcement Officials. During the discussion proposals to promote existing studies and review the implementation of their recommendations was made.

It was agreed that a proposed list of topics for new studies on prevention and criminalisation/enforcement will be proposed to the Steering Group and the LEN contact points accordingly.

Business Integrity

The Secretariat informed that in the area of business integrity it is envisaged to conduct expert seminars to promote the Business Integrity Study prepared under the 2013 – 2015 Work Programme and to detect new good practices. It is also proposed to review implementation of regional policy recommendations made in the Business Integrity Study.

Country projects

The Steering Group welcomed that **country project** on Ukraine and possibly other county projects can be implemented under the ACN Work Programme 2016-2019, and noted that such project can only be implemented is additional funding is made available to the

Secretariat, and the costs of country projects are not provided under the Work Programme budget.

Implementation

In order to ensure smooth **coordination at national level**, the ACN Work Programme 2016-2019 proposes to ensure a coordination mechanism is in place in every country for its participation in ACN. An updated list of ACN National Coordinators, partner NGOs and organisations will be prepared. It was suggested that National Coordinators could suggest NGOs to be included in the list.

The Steering Group heard a call for **funding** the implementation of the ACN Work Programme 2016-2019, including a special call to the ACN countries to provide co-funding for the proposed activities. Switzerland reiterated its support to the ACN and highlighted the importance of co-funding to ensure financial sustainability of the new Work Programme. Noting positive progress in ACN countries, the United States highlighted their long-time support to ACN and intention to continue its support, together with other ACN members and partners. The Regional Anti-Corruption Initiative and the OSCE indicated their intention to continue co-funding ACN activities, as in the past.

During the discussion it was proposed that ACN develops a report, which would show the results of its work, including progress in implementation of IAP recommendations. Such information could be presented at the High Level Meeting in 2016.

It was agreed that the Secretariat will send a letter to ACN countries inviting them to ensure a coordination mechanism at national level and a proposal to hold a High Level Meeting in April including to commit support to the implementation of the ACN Work Programme 2016-2019.

At the end of the meeting, the Steering Group adopted the ACN Work Programme 2016-2019 and the Istanbul Action Plan Fourth Round of Monitoring Methodology, noting that the section on progress updates will be revised by the Secretariat and adopted by written procedure.

7. CLOSING OF THE MEETING

It was agreed that the Secretariat will prepare the draft summary record of the meeting and circulate it to participants for adoption. The meeting was closed.