



ReSPA

Regional School
of Public Administration

Launching of the ReSPA Regional
Comparative Study on Ethics and Integrity & Fourth
Meeting of the Network on Ethics and Integrity

7 – 8 October 2013

Sarajevo, Bosnia and Herzegovina

Discussion paper and provisional programme



Background

At the 2nd Network meeting on 11-12 December 2012, the 14 representatives from all ReSPA Member States and Kosovo* agreed to conduct a comparative study on an integrity topic that was currently challenging practitioners in the region. After reviewing possible options, ReSPA prepared two up-to-date topics for further discussion. At the 3rd Network meeting on 28 February/1 March 2013, representatives from the ReSPA Member States and Kosovo* discussed the two possible options and selected “**Income and Asset Declarations in Practice**” as topic for the Study.

Following the 3rd Network meeting, ReSPA engaged seven regional experts from each ReSPA Member States and Kosovo*, and one international expert who lead and fine-tuned the individual work of the regional experts. The whole process of drafting the study was coordinated and managed by ReSPA staff.

The Study is currently being finalised and ready for launching which is scheduled to take place on 7 and 8 October 2013 in Sarajevo, Bosnia and Herzegovina.

Objective

The objective of the fourth meeting is twofold: an internal working group session on 7 October 2013 will allow the country experts and the members of the network on ethics and integrity to review and discuss the national and international inputs and conclusions of the comparative study. Furthermore, the internal working group session will identify next possible steps such as formulating the first international standard on income and asset declarations or laying ground for a multi-lateral agreement on data-exchange for verification of income and asset declarations.

The internal meeting will be followed by a public launching event on 8 October 2013 to make the Study known to the public and review its findings by a larger audience. The public event will also be an opportunity to buy in input and political support for following-up on the findings of the study and for taking further steps. The launching event will be attended by the decision makers and high level civil servants from the ReSPA member states and Kosovo* as well as members of national, regional and international stakeholders dealing with similar issues.

* This designation is without prejudice to positions on status, and it is in line with UNSCR and the ICJ Opinion on the Kosovo Declaration on Independence.

The Comparative Study: Income and Asset Declarations

Income and asset declarations have received increased attention among anti-corruption experts over the last years. Several prominent recent publications document this increased interest:

- OECD, Asset Declarations for Public Officials – A Tool to Prevent Corruption (2011)
- World Bank Group/Alexandra Habershon, Stephanie Trapnell: “Public Office, Private Interests: Accountability Through Income and Asset Disclosure” (2012)
- RAI, Rules and Experiences on Integrity Issues (2012)

The publications are comprehensive and provide very valuable advice to practitioners. However, some questions are still left unanswered. There is in particular a lack of accounts from hands-on practitioners on the following three subjects:

- Verification methodology: How is it really done in practice? What financial calculations are used? What investigative means are used in practice? Which red flags lead to the start of verification procedures?
- Hiding wealth: How do public officials hide unexplained income? Are verification methods relevant to those patterns? So far, no publication has addressed this issue.
- Transparency and privacy: How do courts and other state bodies dealing with privacy solve the conflict between the state’s need for publishing declarations, and officials’ privacy? Do officials in fact challenge the publication of their declarations as is often claimed in practitioners’ discussions? Until now, there has been little, if in fact any, study on this issue with a national focus, let alone from a comparative perspective.

The Study provides answers to the above three questions based on accounts from hands-on practitioners from the Western Balkan ReSPA beneficiaries. As for the verification of declarations, the Study allows for a direct comparison of practices between the seven national chapters. The Study also contributes a typology of hiding wealth by public officials to the anti-corruption world, which is a first, and does so by presenting real life cases. As for transparency and privacy, the Study provides the first analysis of this issue from a comparative and international perspective, and thus closes a gap that has existed in the anti-corruption literature for too long.

Practitioners not only from Western Balkan countries, but also from any European and non-European country will be able to profit from this Study. ReSPA is thus currently reviewing options of cooperation with other organizations for having this Study translated into other languages such as Arabic and Russian.

Follow-up

As for following up on the Study, it goes without saying that ReSPA will follow very closely how the conclusions and recommendations of the Study are implemented in the future. In addition, there is potential for further practical steps to be taken.

For example, there is no **international standard** so far on income and asset declaration. Whereas other areas of integrity, such as political finance, are subject of international recommendations by the Council of Europe (Rec.(2003)4), income and asset declarations are still a blind spot. This status is surprising giving the attention this integrity tool has received over the last years. Western Balkan countries could formulate recommendations based on many of the Study's findings and additional analysis of issues not covered by the Study. The recommendations would for the first time provide a benchmark with the potential of setting an international standard.

Furthermore, experts for this Study pointed out the need for and added value of **international data exchange** for verification of declarations. Kosovo* and Albania have entered already into data exchange agreements. The Study might be the starting point for seeking out options for a multi-lateral agreement, or a template for a bilateral agreement. Such agreements could facilitate the work of integrity oversight and law enforcement bodies. If, for example, a public official in ReSPA Member State A secretly invests his/her corruption proceeds in real estate in Member State B, the oversight body in A could easily prove this by having access to data from the land registry in B. As of today, such a data-exchange is subject to a months-long formal procedure, if it is possible at all. Such a multi-lateral agreement or bilateral agreement template could also serve as an example internationally.

Short Resumes of the Experts

Dr. Tilman Hoppe has worked as a judge, as an executive in the financial sector, and as a legal expert for the German Parliament. For several years he has advised the Council of Europe and other international organizations on governance reforms, and is currently implementing an anti-corruption project in Eastern Europe.

Mr. David Huysman (TBC) - David Huysman is an experienced consultant in good governance and is currently working as a Capacity Development and M&E Advisor for a UNDP project in Afghanistan. He is also actively involved with the main Anti-corruption institution in Afghanistan (the Office of Oversight and Anti-corruption), providing technical assistance and training under GIZ assistance. He holds 2 Master degrees and has an extensive track-record of providing technical assistance in capacity development, public

administration reform and governance to both national and regional/local public administrations, including in Romania and Macedonia.

Draft Provisional Agenda

Monday, 7 October 2013

13:00 – 14:30	Lunch
14:30 – 15:00	Welcome/Introduction to the meeting (Mr. Aqim Emurli, ReSPA Training manager); introduction of the participants and their expectations (moderated by expert Mr. David Huysman)
15:00 – 15:30	Presentation of the study and presentation of possible next steps (Dr. Tilman Hoppe)
15:30 – 16:30	Working groups
16:30 – 17:00	Presentation of working groups main findings and conclusions (moderated by Mr. David Huysman and Mr. Aqim Emurli)
17:00 – 17:30	Summary and concluding remarks (Dr. Tilman Hoppe)
19:30	Social event and Joint dinner

Tuesday, 8 October 2013

08.00 – 08.30	Registration of participants
08.30 – 09:00	Welcome and introductory remarks to ReSPA and to the launching event, Mr. Bariša Čolak, Minister of Justice, Bosnia and Herzegovina (TBC), Mr. Sead Lisak, Director of Anticorruption Agency from Bosnia and Herzegovina, Mr. Suad Music, ReSPA Director
09.00 – 09.20	Address by Mr. Srdjan Blagovcanin, Transparency International, Bosnia and Herzegovina
09:20 – 09:35	Methodology and proceedings of drafting the comparative study, Mr. Aqim Emurli, ReSPA Training Manager
09:35 – 10:50	Country presentations of the issues related to income and asset declarations, regional experts (each of six ReSPA member country and Kosovo*, each 7 minutes presentation)
10:50 – 11:20	Coffee break

11:20 – 11:50	Presentation of the comparative study, introduction, conclusions and recommendations derived from the study, Mr. Tilman Hoppe, Leading Expert
11:50– 12:20	Questions and Answers, moderated by Mr. David Huysman and Mr. Aqim Emurli
12.20 – 13.20	<i>Lunch and departure</i>

Note: All above sessions, speakers and times are still subject to final confirmation