



*West Balkans Network for Integrity and Ethics
2nd Meeting, 10-11 December 2012*

1. Background

On 22-23 March 2012, the first networking event on Ethics and Integrity took place for the senior management of the anticorruption agencies from the ReSPA Member States and Kosovo*. 14 representatives from all ReSPA Member States took part and presented the anti-corruption structures of their countries. It was agreed, to have further follow-up events in order to exchange good practices in the fight against corruption. Moreover, the participants identified a list of topics of particular relevance for the following sessions. The second Meeting of the Network will take place on 10-11 December 2012 (Monday/Tuesday) at the ReSPA premises in Danilovgrad in Montenegro.

In order to include a broader range of issues, the organizers decided to focus on three related topics, selected from the list of topics compiled at the first Meeting. This allows for reviewing the integrity system and taking inspiration from different angles. The three topics indicatively chosen are:

- Independence and best practices of Anti-Corruption Agencies
- Integrity Plans
- Income and Asset Declarations

2. Overview of topics

2.1. Independence and best practices of Anti-Corruption Agencies

This topic was chosen, in order to introduce different concepts of anti-corruption agencies and analyse the prevailing practices in the ReSPA Member States. On this basis, good examples will be demonstrated.

Basically, there are three types of Anti-Corruption Agencies, which will be discussed in the meeting:

- **Law enforcement** bodies (police and/or prosecutors): e.g. Croatia (USKOK)

* 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.

- **Preventive** bodies (policy, coordination, education, integrity oversight, and/or inspection): e.g. Albania, Macedonia, Montenegro, Serbia
- **Multi-purpose** bodies (combined preventive and law enforcement function): Kosovo*

In practice, all ReSPA Member States have a separate unit dedicated to prevention, and another unit dedicated to law enforcement (e.g. in Croatia – the Ministry of Justice for prevention and the *Ured za suzbijanje korupcije i organiziranog kriminaliteta* (USKOK) for law enforcement). In addition, other units, such as the civil service commissions, the court of auditors or the political finance oversight authorities, contribute to the integrity oversight and enforcement. In Kosovo* for instance, the anti-corruption agency even has investigative powers, which complement those of the police.

The separate and independent anti-corruption agencies of most of the ReSPA Member States and Kosovo* are an integrated approach of strategic prevention. However, in Albania and Croatia, the strategic anti-corruption unit is located within an existing ministry structure and complemented by other integrity and law enforcement bodies. The following overview shows the strategic anti-corruption units of the ReSPA Member States and Kosovo*:

Strategic Anti-Corruption Units	
AL	Department of Internal Administrative Control and Anti-corruption (DIACA) of the Council of Ministers (since 2005)
BA	Agency for Corruption Prevention and the Coordination of the Fight Against Corruption (since 2010)
HR	Anti-Corruption Sector of Ministry of Justice
KO*	Anti-corruption Agency (since 2006)
MK	State Commission of Prevention of Corruption (since 2002)
ME	Directorate for Anti-corruption Initiatives (DACI) (since 2001)
SE	Agency for Combating Corruption (since 2010)

Within the meeting, the following questions will be discussed:

- Should countries opt for an “**all-in-one**” solution, such as the Latvian Corruption Prevention and Combating Bureau “KNAB”¹, which is responsible for policies, conflict of interests, income and asset declarations, political finance, and criminal investigations? Or are separate, specialised units the better option?
- What degree of political **independence** is necessary, and how to best achieve it? To whom should the agency be reporting and **accountable**?

¹ www.knab.gov.lv/en/.

- How to secure sufficient resources and **budgetary** autonomy?
- Are Anti-Corruption Agencies just an answer to the demand by **international** organizations, such as the EU, or do they have a real added value?
- Why did Anti-Corruption Agencies **succeed** in the West Balkans, and why not? What role does the external environment play? What are models of success?

2.2. Integrity Plans

There is no binding international definition on “Integrity Plans”. However, they are commonly understood as sector-specific plans, designed in order to close corruption-gaps and to strengthen integrity. Often, the national anti-corruption policies mandate the line ministries and agencies of a country to develop sector-specific integrity plans, as is, for instance, the case in Serbia. Within this topic, the following questions will be discussed in the meeting:

- What are the specific **advantages** of sector-specific integrity plans over broader and concise policy documents?
- Do integrity plans show considerable **impact** and on what factors does this impact depend?
- Is there a real difference between **national** anti-corruption **policies** that have been developed based on input from each sector, and integrity plans?
- Can integrity plans be centrally **monitored**? What resources are needed?
- Should the monitoring results be available to the public?

2.3. Income and Asset Declarations

Income and asset disclosure systems can be an effective anti-corruption tool for both, preventing corruption and detecting inexplicable wealth (as well as recovering assets). The disclosure of public officials’ assets and interests creates transparency and fosters public trust. Starting with Albania, all ReSPA Member States and Kosovo* have introduced income and asset declarations within the last 17 years.

Year	Country
1995	Albania
2001	Bosnia and Herzegovina
2002	Macedonia
2003	Croatia
2004	Montenegro, Serbia
2005	Kosovo

The following questions will be discussed in the meeting:

- **Who** has to declare their income and assets (all civil servants or only high officials)?

- How **often** (when entering office, annually, when leaving office)?
- **What** income and assets need to be declared (degree of detail)?
- How are **family** members included? How can regulations be enforced against them?
- Should declarations be **verified**, and if so, how? What resources are needed? Should this be done centrally or in each agency?
- To what degree are declarations **public** information (automatically on the net, under freedom of information legislation, or only to law enforcement agencies)? Did officials successfully challenge the publication of their declarations? How could their privacy and security be protected?
- What are the **sanctions** in the case of non-disclosure or incomplete/false information?
- Have declarations lead to actual disciplinary and criminal **investigations** in the past? Have they helped investigative journalism to direct the public's attention to suspicious degrees of wealth with public officials?

3. The roll-out of the second Meeting

The organizers suggest to dedicate about half a day to each of the above topics. The theoretical input for each topic will be accompanied by two or three countries, which will present their examples of good practices, dealing with challenges, and creation of impact. Each set of presentations will be followed by a plenary discussion. The event will be facilitated by ReSPA-experts Stefan Friedrichs and Tilman Hoppe.

ReSPA Member States and Kosovo* are strongly invited to **comment** and make **suggestions** on the above selection of topics, on the focus taken for each topic, and on the planned roll-out of the second meeting. ReSPA Member States and Kosovo* are also invited to **indicate** 1 or 2 **topics** on which they would like to present good practices.

Draft Agenda

Sunday, 9 December 2012

Arrival of participants

Monday, 10 December 2012

- 09:30 – 09:45 **Opening:** Welcome/Introduction to ReSPA (*Mr. Aqim Emurli, Training manager*); introduction of the participants, their expectations (*experts Mr. Stefan Friedrichs and Dr. Tilman Hoppe*)
- 09:45 – 10:45 **Presentations** on “Independence and best practices of Anti-Corruption Agencies”: Bosnia and Herzegovina, Kosovo*, Macedonia – up to 20 minutes each (*moderated by expert Mr. Stefan Friedrichs*)
- 10:45 – 11:00 **Discussion of presentations** (*moderated by expert Mr. Stefan Friedrichs*)
- 11:00 – 11:30 Coffee break
- 11:30 – 12:30 **Discussion of presentations** (continued)
- 12:30 – 13:00 **Best practices of Anti-Corruption Agencies** (*expert Mr. Stefan Friedrichs*)
- 13:00 – 14:30 Lunch break
- 14:30 – 15:15 **Presentations** on “Integrity Plans”: Montenegro, Serbia – up to 20 minutes each (*moderated by experts Mr. Stefan Friedrichs and Dr. Tilman Hoppe*)
- 15:15 – 16:00 **Discussion of presentations** (*moderated by expert Mr. Stefan Friedrichs and Dr. Tilman Hoppe*)
- 16:00 – 16:30 Coffee break
- 16:30 – 17:00 **Discussion of presentations** (continued)
- 17:00 – 17:15 **Conclusions** for the day (*expert Mr. Stefan Friedrichs and Dr. Tilman Hoppe*)
- 19:00 **Social event and Joint dinner outside ReSPA premises**

Tuesday, 11 December 2012

- 09:30 – 10:15 **Presentations** on “Income and Asset Declarations”: Albania, Croatia – up to 20 minutes each (*moderated by expert Dr. Tilman Hoppe*)
- 10:15 – 11:00 **Discussion of presentations** (*moderated by expert Dr. Tilman Hoppe*)
- 11:00 – 11:30 Coffee break

- 11:30 – 12:00 **Discussion of presentations** (continued)
- 12:00 – 12:30 **Income and asset disclosure systems: current trends** (*expert Dr. Tilman Hoppe*)
- 12:30 – 13:00 **Next steps of the network** (*experts Mr. Stefan Friedrichs and Dr. Tilman Hoppe*)
- 13:00 – 14:00 Lunch