Work Programme for 2013-2015

The ACN Steering Group approved the Work Programme at its meeting on 11 December 2012.

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Table of Contents

Introduction

The Anti-Corruption Network for Eastern Europe and Central Asia (ACN) was established in 1998 as a regional forum for the promotion of anti-corruption reforms, exchange of information, elaboration of best practices and donor coordination.[1] The ACN is a regional anti-corruption programme established under the OECD Working Group on Bribery.[2] The Secretariat, which is located at the OECD Anti-Corruption Division, is guided by the ACN Steering Group composed of National Coordinators from ACN countries, as well as representatives from OECD countries, international, and non-governmental organisations. Detailed information about the ACN is available on its website www.oecd.org/corruption/acn. The Work Programme for 2013-2015 was adopted by the ACN Steering Group at its meeting on 11 December 2012.

Context and objectives

Political leaders in the ACN region acknowledge that corruption remains one of the key threats to the development and security of their countries. Corruption impedes sustainable economic growth, which requires, among other things, trust of citizens and business in governments, as well as social cohesion. It creates obstacles for investment and trade, and affects integration of the region into the global economy, which is especially challenging in the context of the global economic crisis.

Over the past years, ACN countries have implemented important anti-corruption reforms: they adopted anti-corruption strategies, engaged in reform of their anti-corruption legislation, established a variety of anti-corruption institutions and joined in international anti-corruption efforts. All ACN countries are now Parties to the UN Convention against Corruption (UNCAC), many are parties to the Council of Europe anti-corruption conventions, and several became members of the OECD and Parties to the OECD Anti-Bribery Convention.[3]

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[1] The ACN is open for all countries in Eastern Europe and Central Asia, including Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Former Yugoslav Republic of Macedonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Montenegro, Romania, Russia, Serbia, Slovenia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. OECD countries participate in the ACN as partners or donors. The ACN is open for participation by international organisations, such as the Council of Europe and its Group of States against Corruption (GRECO), the Organisation for Security and Cooperation in Europe (OSCE), the UN Office on Drugs and Crime (UNODC), and the UN Development Programme (UNDP), as well as multi-lateral development banks, such as the Asian Development Bank, Council of Europe Investment Bank, EBRD, and the World Bank. The ACN is also open for participation by non-governmental partners, including Transparency International and other non-governmental and business associations.

[2] The OECD Working Group on Bribery in International Business Transactions is made up of representatives from the Parties to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; for information about the Working Group, please refer to www.oecd.org/daf/nocorruption.

[3] Bulgaria has become Party to the OECD Anti-Bribery Convention since 1998, it is not a member of the OECD; Estonia became party to the Convention in 2004 and is a member of the OECD since 2010; Slovenia is Party to the Convention since 2001 and is a member of the OECD since 2010; Russia became a Party to the Convention on 17 April 2012, it is also candidate to OECD membership.

Practical implementation of anti-corruption strategies and enforcement of anti-corruption legislation remain the key challenges for most countries.[4] Various international surveys such as those by Transparency International, World Bank, the World Economic Forum, Freedom House and national anti-corruption surveys show that several countries in the region have succeeded in reducing corruption. However, in many other countries the levels of perceived corruption have stayed very high or have increased.[5] While all ACN countries have to reinforce their anti-corruption efforts, some are already in a position to propose examples of good practice that can be useful for other countries. A number of countries still have to take important measures to counter corruption and would benefit from support through peer pressure and knowledge sharing. The regional dialogue provided by the ACN continues to be an effective mechanism for such mutual support, for identification of best practices and for their promotion on the regional level.

The objective of the ACN Work Programme in 2013-2015 is to continue to support ACN countries in their anti-corruption reform efforts, in particular practical implementation of anti-corruption measures and effective enforcement of anti-corruption laws. The Work Programme will promote the implementation of UNCAC standards. It will also support the implementation of the OECD Anti-Bribery Convention by addressing the demand side for foreign bribery by strengthening prevention and combating of domestic bribery, building law-enforcement capacity and involving the business sector in the fight against corruption.

Output results

The Work Programme will be based on the OECD methodology for peer reviews, cross-country analysis, mutual learning and the elaboration of good practices. It will aim at producing the following output results:

- Istanbul Anti-Corruption Action Plan: third round of monitoring;
- Cross-country thematic studies;
- Anti-Corruption Law-Enforcement Network.

The Steering Group will guide the Secretariat on all issues related to the Work Programme. The Steering Group meetings will also provide an opportunity for a broader regional discussion.

Istanbul Anti-Corruption Action Plan: Third Round of Monitoring

The ACN Steering Group agreed to continue comprehensive country reviews under the Istanbul Anti-Corruption Action Plan (IAP), which covers eight countries, namely Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Ukraine and Uzbekistan.[6]

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[4] For information about the anti-corruption efforts in the region, refer to the forthcoming ACN report "Fighting Corruption in Eastern Europe and Central Asia: Progress and Challenges. Summary report, 2009 – 2012".
[5] Idem
[6] Mongolia has requested to join the Istanbul Action Plan at the ACN Steering Group meeting on 11 December 2012.

The aim of the 3rd round is to assess progress in implementation of the recommendations that were adopted during the 2nd round of monitoring.[7] To ensure consistency of monitoring, to reduce the burden on the countries, and to avoid duplication with other international reviews, the 3rd round will not repeat a full review of the entire anti-corruption system undertaken during the 2nd round. The 3rd round will assess compliance with the specific country recommendations adopted during the 2nd round and will focus mainly on implementation and enforcement measures.

The results of the 3rd round of monitoring will be presented in country monitoring reports, which will include assessment and compliance ratings for each recommendation adopted in the 2nd round, as well as new recommendations to guide countries towards stronger implementation and enforcement in the covered areas. Information about other major anti-corruption measures taken by the countries can also be included in the reports.

The main elements of the methodology for the 3rd round of monitoring are the following: peer review; individual country questionnaires; on-site visits; discussion and adoption of country reports by the plenary; publication of country reports; and presentation and dissemination of the reports back in the country. Countries will also continue providing progress updates at each ACN plenary meeting. Further efforts will be taken to ensure that the Istanbul Action Plan monitoring reports provide inputs to UNCAC country reviews by recommending countries to submit these reports to the UNODC as part of the information about their implementation of the UNCAC. The detailed methodology for the 3rd round is provided in Annex 1 below.

Each Istanbul Action Plan country will undergo the 3rd round of monitoring; Mongolia will undergo a review and joint 1st and 2nd round of monitoring. The provisional schedule of monitoring, provided below, is based on the assumption that monitoring of one country requires nine months, and that two reports can be discussed and adopted at one plenary meeting. The schedule can be adjusted, in order to take into account, for instance, the timetables of the UNCAC and GRECO reviews or to avoid any other duplications.

Provisional schedule

Countries	Main stages of the monitoring
Azerbaijan, Georgia (3rd round)	Questionnaire (completed and submitted by the country): March-April 2013 On-site visits: May-June 2013 Adoption of reports at plenary meeting: September 2013 Return missions: November 2013
Mongolia (review)	Questionnaire (completed and submitted by the country): May 2013 Adoption of the review report: September 2013

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[7] Joint First and Second Rounds of Monitoring for Uzbekistan.

	Return missions: November 2013
Tajikistan, Ukraine (3rd round)	Questionnaire (completed and submitted by the country): September 2013
	On-site visits: November-December 2013
	Plenary meeting: March 2014
	Return missions: May 2014
Kazakhstan, Armenia (3rd round)	Questionnaire (completed and submitted by the country): March 2014
	On-site visits: May-June 2014
	Plenary meeting: September 2014
	Return missions: November 2014
Kyrgyzstan, Uzbekistan (3rd round) Mongolia (joint 1st and 2nd round)	Questionnaire (completed and submitted by the country): September 2014
	On-site visits: November-December 2014
	Plenary meeting: March 2015
	Return missions: May 2015

Cross-Country Thematic Studies

Thematic cross-country studies will cover all ACN countries. The purpose of the thematic studies is to promote exchange of experience, to identify regional best practices and develop regional policy recommendations. The results of the thematic studies will be presented in the thematic reports which will include comparative cross-country analysis on selected issues, as well as regional policy recommendations and examples of good practices. Thematic studies will be made public. Several thematic studies conducted by the ACN in the past, such as "Asset Declarations for Public Officials: a Tool to Fight Corruption", will be used as a model for further work.

ACN countries, through the Steering Group, selected the following three *subject areas* for thematic studies: (1) anti-corruption policy, including strategies and action plans, monitoring indicators, policy coordination institutions, and public participation, and prevention of corruption in public administration; (2) criminalisation of corruption, including newly introduced corruption offences, responsibility of legal persons, international cooperation and MLA, and specialised law-enforcement bodies, and (3) prevention of corruption in business sector, including in public procurement. *Specific issues* which will be analysed in each study will be determined in consultation with practitioners involved in the relevant areas of work, and taking into account similar studies conducted by other organisations, as well as available expertise and funding.

The thematic studies will be led by the Secretariat, but they will involve active participation from ACN countries. The thematic studies will involve data gathering and drafting of the thematic reports by the Secretariat with the assistance of external consultants and informal advisory groups composed of country experts. They will involve regional expert seminars to discuss the draft reports with the relevant experts from ACN countries, to disseminate the final reports and to promote the implementation of best practices and policy recommendations. The thematic studies will also

provide a framework for the continuation of the ACN peer-learning programme. Detailed methodology for thematic studies is provided in Annex 2 below.

Anti-Corruption Law-Enforcement Network

The peer-learning programme for investigators and prosecutors was launched in 2010 at the seminar in Bucharest, Romania, and continued in 2011 at the seminar in Kyiv, Ukraine and in 2012 at the seminar in Batumi, Georgia. Responding to the demand from law-enforcement practitioners, and acknowledging that weak enforcement is a key challenge in the region, the ACN will continue supporting their exchange of experience in the framework of an informal Law-Enforcement Network. As opposed to formal networks such as INTERPOL and EUROPOL and other institutionalised initiatives for anti-corruption authorities, the ACN anti-corruption Law-Enforcement Network will continue operating as an informal group on law-enforcement practitioners drawing on the experience of the OECD Working Group on Bribery's informal network of the law enforcement officials.

The main objective of the Law-Enforcement Network is to provide a framework for investigators, prosecutors and other law-enforcement practitioners to meet and to discuss practical questions related to investigation and prosecution of corruption offences, to learn from each other about modern investigation and prosecution methods, and to establish professional contacts.

The themes addressed by the Network will be chosen following suggestions by the practitioners and taking into account the findings of the IAP country monitoring reports and other ACN studies. The seminars will focus on real-life cases involving specific aspects of investigation and prosecution identified as priorities by the Network. The Manual on Investigation and Prosecution of Corruption Offences developed by the ACN in the framework of its projects for Ukraine and GUAM may be used for these sessions.[8]

The thematic study on criminalisation of corruption will be developed in coordination with the Law-Enforcement Network. For example, themes of the study can be selected by law enforcement practitioners and the findings of the study can be validated by them.

The Law-Enforcement Network will operate through regular seminars (at least once a year). After each seminar, the Secretariat will prepare and publish the proceedings. Upon request of the Network, parts of discussion and contact information may be kept confidential.

Steering Group

The ACN Steering Group, which is comprised of the National Coordinators from ACN Countries, as well as representatives from partner organisations, will guide the Secretariat in the development, implementation and evaluation of the Work Programme. The Steering Group will carry out the following main activities:

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[8] Information about ACN projects for Ukraine and GUAM is available at
http://www.oecd.org/document/32/0,3746,en_36595778_36595918_41420320_1_1_1_1,00.html

- The Steering Group will regularly review the implementation of the ACN Work Programme and will guide the Secretariat on all matters related to its implementation. To this end, at least four Steering Group meetings will be organised over the 3 years, back-to-back with monitoring meetings of the Istanbul Action Plan or other ACN events.

- The Steering Group will also provide a platform to ACN countries and partners to debate regional anti-corruption issues and to promote good practice in anti-corruption reforms in the region and to support the implementation of the UNCAC. To this end, a Tour de Table, which was launched at the Steering Group in September 2011, will be organised during the Steering Group meetings.

- Donor consultations will be organised as special sessions during some of the Steering Group meetings. Consultations with other partners may also be organised in the future, for instance with business partners.

- An ACN General Meeting - or Steering Group meeting with a High-level session - could be organised upon the completion of this Work Programme, tentatively at the end of 2015, to review progress achieved in the fight against corruption in the region and to set strategic directions for the future. In this context, the Steering Group may instruct the Secretariat to develop a summary report about the implementation of the Work Programme.

Implementation and evaluation

The implementation of the ACN Work Programme is a shared responsibility between the ACN countries, partners and the Secretariat. Implementation of the ACN Work Programme is funded mainly by voluntary contributions from OECD and other donor countries and by additional co-funding of the ACN countries and partners.[9] Both the amount of the available funds and the timing of their availability may affect the scope of proposed activities and their schedule. The Secretariat will consult with the Steering Group on adjustments that need to be made in the Work Programme.

The evaluation of the implementation of the ACN Work Programme will be carried out in the framework of the ACN Steering Group. It will include regular internal self-evaluations and an external evaluation. The internal self-evaluation will be carried out by the Steering Group on the basis of reports prepared by the Secretariat and will be reflected in the summary records of the Steering Group meetings. The external evaluation will be carried out by an independent external consultant and will be presented to the Steering Group in the middle of the implementation of the Work Programme. Summary report "Fighting Corruption in Eastern Europe and Central Asia: Progress and challenges for 2009-2012" will serve as a base-line study, describing the situation against which

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[9] Co-funding involves sharing of costs of various ACN activities by other international organizations and ACN countries of various expenses such as local expenses during on-site monitoring and return missions and seminars and financing of participation of country delegates in ACN events.

progress will be assessed and comparisons will be made. The following inputs will be used to carry out internal and external evaluations:

1. *Evaluation by ACN National Coordinators*: National Coordinators will be invited to evaluate the implementation of the Work Programme by filling out a brief evaluation questionnaire for each Steering Group meeting.

2. *Evaluation by participating experts from ACN countries:* monitoring teams, advisory groups for thematic studies, members of the Law-Enforcement Network, participants of the peer-learning seminars will be invited to provide answers to the evaluation questionnaires covering their areas of activities.

3. *Feedback from ACN partners:* international organisations, NGOs, donors and other partners will also be invited to provide their inputs to the assessment.

4. *External evaluation*: an external consultant or a group of consultants will be retained by the ACN Secretariat on the basis of a competitive selection to carry out the evaluation and form an external independent opinion using performance indicators developed for the evaluation of this Work Programme implementation.

Evaluation inputs from ACN countries and partners will be collected, analyzed and organized by the Secretariat in the form of written reports which will be presented for the discussion of the Steering Group at its meetings. This evaluation is intended to improve performance under the ACN Work Programme, enabling the incorporation of lessons learned into the decision making processes in regards to necessary changes.

The external evaluation will be undertaken in the middle of implementation of the Work Programme with the objective to identify the factors of success or failure, to assess the sustainability of results and impacts, and to draw conclusions that may be used for the completion of the Work Programmes. The results of these evaluations will be made available to the donors who provide funding to the ACN activities for their reporting purposes.

Annex 1. Methodology of the third round of monitoring

Istanbul Anti-Corruption Action Plan

The Istanbul Anti-Corruption Action Plan is a programme of mutual reviews and monitoring which involves eight countries. Armenia, Azerbaijan, Georgia, Russia,[10] Tajikistan and Ukraine joined this initiative at the ACN General Meeting in September 2003 in Istanbul, Turkey. Kyrgyzstan joined the Action Plan in October 2003 and Kazakhstan in December 2004. Uzbekistan joined the Action Plan in March 2010. Other ACN and OECD countries, international organisations and civil society participate in the implementation of the Istanbul Action Plan. The implementation of the Istanbul Action Plan up to date involved the following stages:

1. *Review of legal and institutional frameworks for fighting corruption*. Istanbul Action Plan countries prepared self-assessment reports on the basis of standard Guidelines, drawn up by the Secretariat. Groups of experts from ACN reviewed these self-assessment reports (without on-site visits) and developed recommendations, covering three main areas: (1) anti-corruption policies and institutions, (2) criminalisation of corruption and law-enforcement, and (3) preventive measures in public service. ACN plenary meetings discussed and adopted country assessment reports and recommendations based on consensus. Country reviews were completed during 2003-2005.[11]

2. *First round of monitoring.* The first round monitoring of implementation of country-specific recommendations was based on answers to individual Monitoring Questionnaires prepared by the Secretariat for each country. Groups of experts from ACN reviewed these answers and visited the countries to collect additional information. On the basis of the answers to the questionnaire and information gathered during the on-site visit, the experts developed draft monitoring reports, which included assessment of progress and ratings for compliance with recommendations as fully, largely, partially or not implemented. The draft monitoring reports were presented for the discussion and adoption at plenary meetings. The first round of monitoring was completed during 2005-2007.

3. *Second round of monitoring.* The second round of monitoring revisited the level of countries' compliance with recommendations given at the initial country review, but included three new elements: (1) it involved the Standard Monitoring Questionnaire based on the UNCAC standards; (2) the monitoring report included updated compliance ratings for the previous recommendations as well as new recommendations; (3) upon the completion of the monitoring, the Secretariat organised return missions to the monitored countries to present the reports to the public officials, civil society and international partners in order to promote the

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[10] Russia does not participate in the Istanbul Action Plan as an active member, as it is engaged in the mutual examination by the OECD Working Group on Bribery in the context of its accession process to the OECD.
[11] Except the review of Uzbekistan; this took place in 2010, based on the standard questionnaire developed for the second round of monitoring.

implementation of the recommendations. The second round of monitoring was completed during 2009-2012.[12]

4. *Regular updates.* After the adoption of the country reports, the Istanbul Action Plan countries prepared their updates about measures taken to implement the recommendations and presented them for discussion at each plenary meeting to ensure follow-up.

Country reports were discussed and adopted at the ACN plenary meetings. All country reports and updates, as well as summary reports prepared by the Secretariat, are published on the ACN web site.[13]

Objectives and principles of the third round of monitoring

The objective of the third round of monitoring under the Istanbul Action Plan is to promote compliance of the participating countries with the UNCAC requirements and with other international anti-corruption standards, such as the OECD and the Council of Europe instruments, and with international best practices.

This objective will be achieved through continued peer review which will allow countries to support each other by mutually assessing progress and challenges in each country and making recommendations for further actions. Recognising that practical implementation of anti-corruption measures remains the main challenge for the Istanbul Action Plan countries, the *focus of the third round of monitoring will be on the practical measures* to enforce anti-corruption legislation in areas covered by the recommendations.

Comprehensive approach – the third round of monitoring will continue to cover all three areas of anti-corruption efforts, namely anti-corruption policy, criminalisation and prevention of corruption; however it will not involve a full new review, but will focus on the recommendations adopted in the previous round. Continuation of the comprehensive approach will provide additional value to the UNCAC and GRECO examinations and will provide useful inputs for country policy makers.

Peer review methodology - the third round of monitoring will be conducted as an intergovernmental peer review process, where experts nominated by ACN countries review each other. Experts from IAP countries will be systematically involved in the monitoring of other countries participating in this initiative, together with experts from other ACN and OECD countries to ensure transfer of experience; representatives of international organisations can also take part in the monitoring.

Participation of civil society will continue to be promoted, including their contribution to the preparation of the monitoring report, participation in the on-site visits and in the plenary meetings. The civil society may also contribute to the monitoring by preparing "shadow" reports which will be taken into account in the country assessment. Public participation, transparency of the monitoring process and the publication of the reports will remain an important advantage and outstanding feature of Istanbul Action Plan.

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[12] Uzbekistan underwent joint first and second rounds of monitoring in 2011-2012.
[13] http://www.oecd.org/corruption/acn/anti-corruptionnetworkcountrymonitoringreports.htm.

Equal treatment and consensus based decision making - as in the previous reviews and monitoring rounds, the assessment and recommendations will be developed in a manner to ensure equal treatment of all countries, where similar rules and procedures apply to all countries. The assessment and recommendations will be adopted on the consensus basis, whereby countries undergoing the monitoring are included in the decision-making and the reports are adopted with their agreement.

Co-ordination with other international organisations will continue to be an important part of the Istanbul Action Plan process, in order to ensure that assessments and recommendations adopted in different international frameworks reinforce each other and draw on each other's findings. This co-ordination should aim at avoiding unnecessary duplication of work by the international organisations and by the monitored countries. The ACN Secretariat will ensure regular coordination with the Council of Europe GRECO and with the UNODC, and will encourage countries to contribute their monitoring reports to the UNCAC country reviews.

Main stages of country monitoring

Schedule

To start preparations for country review, the Secretariat will develop a schedule of the third round of monitoring for each country on the basis of the model schedule provided below. The Secretariat will propose via e-mail such schedule to the National Coordinator of each Istanbul Action Plan country, including deadline for submitting answers to the questionnaire, dates of the on-site visit and of the plenary meeting. The final schedule will be agreed between the Secretariat and the National Coordinator. If necessary, on the request from the National Coordinator, the Secretariat may send an official letter to the Government of the respective country to request high level support to the implementation of the third round of monitoring.

Model schedule of country monitoring

Action	Responsibility	Deadline
Establishing schedule of the country monitoring	Secretariat in consultation with the National Coordinator	4 months before the visit
Establishing the monitoring team	Secretariat in consultations with ACN countries	4 months before the visit
Sending questionnaire to the country	Secretariat in consultations with the Monitoring team	4 months before the visit
Sending questionnaire to civil society, business associations and international partners	Secretariat in consultations with the Monitoring team	4 months before the visit
Submission of answers to the questionnaire	National coordinator based on inputs from public institutions	2 months before the visit
Sending additional questions (if necessary)	Secretariat and Monitoring team	1 month before the visit
Submission of additional answers	National coordinator	3 weeks before the visit
Additional research, soliciting inputs form	Secretariat in consultation with the	3 weeks before the visit

civil society, business associations and international partners	Monitoring team	
Preparation of the Issues paper	Secretariat, with inputs from Monitoring team	2 week before the visit
Preparation of the agenda of the on-site visit (meetings with public institutions)	National coordinator in consultation with the Secretariat and Monitoring team	2 week before the visit
Preparation of panels with the civil society, business and international partners	Secretariat	2 week before the visit
On-site visit (4-5 days)		**3 months before the plenary meeting**
Submission of additional information requested by the Monitoring team	National coordinator	2 weeks after the visit
Drafting of the report	Monitoring team and Secretariat	1 month before the meeting
Sending the draft report to the country, civil society, business and international partners for comments	Secretariat	1 month before the meeting
Submitting comments to the draft report	National coordinator and other partners	2 week after receiving the draft report
Finalising the draft report and distributing it to participants of plenary meeting	Monitoring team and Secretariat	1 weeks before the meeting
Adoption of the report at plenary meetings (2,5 days)		
Publishing of the report and of the press release	Secretariat	2 weeks after the meeting
Letter to Prime Minister/President's Administration of the monitored country	Secretariat	1 month after the meeting
Return mission	National Coordinator, Secretariat and member of the Monitoring Team	2 months after the adoption of the report

Monitoring Team

The Secretariat will invite ACN countries and members to nominate the peer review experts. The monitoring experts should have good working experience in one or several of the areas covered by the monitoring, should be familiar with relevant international standards and good practice, and should be able to work in multi-cultural groups, be able to speak and write in English; Russian language skills would be considered as additional advantage. Training for monitoring experts may be organized back-to-back with a plenary meeting in 2013.

Monitoring teams for each country will be assembled with the view to ensure a balance of expertise and country representation. The Secretariat will seek to ensure that IAP countries are strongly represented in the monitoring teams, and that representatives from other ACN and OECD countries, who are not monitored by the IAP, but by other groups such as GRECO and OECD Working Group on

Bribery, are also represented to ensure the transfer of experience between countries at different levels of anti-corruption efforts.

Monitoring experts will 1) contribute to the development of the monitoring questionnaire, 2) review answers to the monitoring questionnaire, raise additional questions, if appropriate, review answers to additional questions, carry out additional research[14] and study the issues paper prepared by the Secretariat, 3) visit the country and take part in discussions with local authorities, NGOs and foreign missions, chair the panels on themes assigned to them, 4) contribute to the drafting of the relevant sections of the monitoring report, review comments provided to the draft report, and contribute to the finalization of draft report, 5) present the draft report to the plenary meeting and actively participate in the debate in the plenary, 6) contribute to the finalization of the report, together with the Secretariat, on the basis of plenary and bi-lateral discussions during the meeting.

Questionnaire and issues paper

Individual monitoring questionnaires will be developed by the Secretariat in consultations with the monitoring teams for each country. Monitoring questionnaire will include the following elements: (1) description of policy, legislative and institutional measures taken by the government to implement the recommendations of the 2nd round of monitoring, together with copies of relevant documents, (2) information about *actions* taken by the government to enforce the above mentioned policy, legislative and institutional measures *in practice* and about *their results*, together with reports and data demonstrating the relevant actions and their results, (3) information about other significant anti-corruption measures taken by the country which were not covered by the recommendations.

National Coordinators will ensure that all information necessary for the monitoring is provided to the monitoring team. To this end, they will liaise with all relevant state bodies and collect from them information necessary to fill out the questionnaire; they will compile answers to the questionnaire and will submit them to the Secretariat. Information provided in the answers to the monitoring questionnaire should cover the time period since the adoption of the second round monitoring report for each country. Answers to the questionnaire should be provided in *electronic form suitable for editing*, e.g. as a Word Document. Answers and documents can be submitted in English or in Russian.

The Secretariat will also share the questionnaire with civil society and business organisations, as well as international partners inviting them to provide inputs, including the possibility of preparing "shadow" reports on progress made in implementing the recommendations of the 2nd round of monitoring.

The Monitoring team together with the Secretariat will review the answers to the questionnaire provided by the evaluated country. If necessary, they may raise additional questions and request

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[14] Any publicly available information on the evaluated country's activities within the scope of the monitoring can be examined by the expert, including official government data, reports by international organisations, academia, media or NGOs.

answers from the country before the on-site visit. On the basis of the received information, the Secretariat will prepare a preliminary assessment in the form of an *issues paper* in order to help the monitoring team to prepare for the on-site visit. This preliminary assessment will aim to determine which issues have been sufficiently described in answers, namely covering all elements in the recommendation and both the measures taken and their implementation and results achieved, and which issues require further research and discussion during the on-site visit. This issues paper will be circulated by the Secretariat to the monitoring team prior to the on-site visit.

On-Site Visit

The Monitoring team will conduct an on-site visit to the country and will hold meetings with public authorities, civil society, business and representatives of the international community in order to collect and verify information necessary to prepare the monitoring report. The duration of the on-site visit will be up to 5 working days.

The National Coordinator will prepare the draft agenda that will include thematic panels with representatives of various state bodies, based on the model agenda provided below. List of thematic panels, their order and duration may be adjusted taking into account specific country's recommendations. Some thematic session can be organised in parallel, where examiners may split by themes to allow them to have a more in-depth examination, while other session can be joined for all examiners. The National Coordinator will send the draft agenda for the review by the Monitoring team and Secretariat, who may suggest changes. If necessary, the Monitoring team and Secretariat may also request additional meetings during the on-site visit. The National Coordinator will arrange for meeting rooms, where panels with representatives of state bodies will take place.

The Secretariat will be responsible for the organisation of the special panels with representatives of non-governmental organisations, business and international partners engaged in anti-corruption and good governance activities in the country. The National Coordinator may suggest to the Secretariat to invite particular NGOs or foreign partners to these sessions. However, government officials will be invited to abstain from participation in these meetings.

During or after the on-site visit, the Monitoring team and the Secretariat may request additional information and documents to be supplied by the National Coordinator.

Model Agenda for the On-Site Visit

Day 1	
	Arrival of the monitoring team
	Preparatory meeting for the monitoring team
Day 2	
Morning	**Introduction to the on-site visit**

	Panel 1. Anti-Corruption Policy and Institutions (Recommendations 1.1-1.5)	**Invited institutions:**
Morning	1. Expressed political will 2. Anti-corruption strategy and action plan 3. Anti-corruption plans in risk sectors 4. Anti-corruption policy institutions 5. Corruption research 6. Public participation 7. Raising public awareness	• National Coordinator • Administration of the President • Prime Minister's Office • Parliament • Body responsible for policy coordination • Other relevant state bodies, including in sectors with high risk of corruption
Afternoon	**Special panel with civil society** **Issues for discussion:** Public participation in anti-corruption policy	**Invited institutions:** • TI local chapters, other civil society groups, such as lawyers associations, consumers associations, freedom of information associations • Media, investigative journalists • University professors and academics
	Special panel with business representatives **Issues for discussion:** Experience of companies related to corruption	**Invited institutions** • Business associations • Private and state owned companies, SMEs and MNE • Foreign investors
Evening	*Debriefing for the monitoring team*	

Day 3		
Morning	**Panel 2. Criminal legislation on corruption (Recommendations 2.1-2.7)** 1. Offences and elements of offences 2. Liability of legal persons 3. Definition of public official 4. Sanctions and confiscation 5. Immunities, defences 6. Other criminal law issues **Invited institutions:** • Ministry of Justice • General Prosecutor's Office • Police/Ministry of Interior • Parliament • Specialised anti-corruption bodies	**Panel 3. Integrity in public service (Recommendation 3.2)** 1. Recruitment, promotion, remuneration 2. Restrictions, conflict of interests, asset declarations, codes of conduct 3. Reporting and whistleblowers protection **Invited institutions:** • Public Service Body • Public Service Academy • Specialised anti-corruption bodies (responsible for prevention) • Other relevant state bodies, including in sectors with high risk of corruption
Afternoon	**Panel 4. Pre-trial investigation, prosecution and adjudication of corruption** **(Recommendations 2.8 - 2.10)** 1. Responsible law-enforcement bodies and their capacity 2. Investigative procedures and tools 3. Results in investigation and prosecution of corruption 4. Results in adjudicating corruption cases 5. International co-operation and MLA **Invited institutions** • Courts • General Prosecutor's Office • Police/investigation agencies/Ministry of Interior • Specialised anti-corruption bodies with law enforcement powers • FIUs and/or financial police • MLA authorities	**Panel 5. Corruption in public procurement (Recommendation 3.5)** 1. Anti-corruption in public procurement **Invited institutions** • Central public procurement body • Procurement units/experts from individual agencies (e.g. health, education, public works) • Investigators and prosecutors dealing with cases of corruption in public procurement • Body(ies) responsible for complaints and oversight
Evening	*Debriefing for the monitoring team and Secretariat*	

Day 4		
Morning	**Panel 6. Financial control and audit (Recommendation 3.4)** 1. Public financial control and audit **Invited institutions** • Supreme audit body • Financial inspection of Ministry of Finance Internal audit/control units in various ministries	**Panel 7. Transparency of public administration and Access to information (Recommendations 3.3 and 3.6)** 1. Anti-corruption screening of legal acts 2. Administrative procedures and complaints 3. Access to information **Invited institutions** • National Coordinator • Ombudsman • Ministry of Justice • Parliament • Institution responsible for regulatory reform/business environment
	Special panel with international community **Issues for discussion**: Assistance and cooperation programmes on corruption and good governance **Invited institutions:** • Bi-lateral aid agencies • Economic and trade attaches • International organisations and IFIs • International foundations and internationally funded programmes	
Afternoon	**Panel 8. Political corruption (Recommendations 3.7)** 1. Political parties financing 2. Regulations and other measures preventing corruption for politicians **Invited institutions** • Central election commission • Parliament • Bodies responsible for ethics of political officials • Parliamentary ethics commissions • Other government representative responsible for this issue	**Panel 9. Corruption in judiciary (Recommendation 3.8)** 1. Independence of the judiciary 2. Integrity and accountability of the judiciary **Invited institutions** • Judges • High Council of Justice • Court Administration • School of Judges • Parliament
Evening	*Debriefing for the monitoring team*	
	Dinner hosted by the evaluated country (optional)	

Day 5		
Morning	**Panel 10. Corruption in business sector (Recommendations 3.9)** 1. Reform of business regulations 2. Efforts of the government to promote compliance in companies **Invited institutions** • Specialised anti-corruption body • Ministry of Justice • Ministry of Economy (relevant department/s) and other relevant regulatory bodies)	Additional meetings (in necessary)
Afternoon	*Debriefing for the monitoring team*	
	Closing meeting with the national coordinator and other relevant representatives	
	Departure of the monitoring team	

Monitoring Reports

Structure

The monitoring reports will contain assessment of compliance with the recommendations adopted during the second round of monitoring and new recommendations for further action. For each recommendation, reports will include the following elements: (1) description of *policy, legislative and institutional measures* taken to implement the recommendation, description of *actions taken to enforce these measures in practice and of the results* of these enforcement measures; (2) assessment of the achieved level of implementation of the recommendation, including progress and remaining gaps, and a compliance rating, and (3) new recommendation, when appropriate.

The report may also include description of other significant anti-corruption measures taken by the government outside the scope of the 2nd round of monitoring recommendations; however it will not contain assessment or rating of such measures.

Ratings

Compliance ratings include: *fully compliant*, *largely compliant*, *partially compliant* and *not compliant*.

Concerning the rate of compliance with recommendations that require *adoption of documents*, a country can be fully compliant if all aspects of the recommendation are met. For instance, if the recommendation required that the country introduce new legislative provisions, full compliance would require that a legal act was adopted and entered into force one month before the plenary meeting and that the act includes all recommended provisions. If the adopted and enforced act includes many or several provisions, the country will be considered largely or partially compliant. If the draft act includes all the recommended provisions, but it is in planning or preparatory stages, this can be reflected in the text of the report, but will not affect the ratings.

Concerning the rate of compliance with recommendations that require to *implement certain measures in practice*, the country can be considered fully compliant if it can provide information, including statistics where applicable, which demonstrates the practical measures that were taken to implement the recommendation, and if it can demonstrate that these measures led to resolution of the problem. For instance, if the recommendation required that the country provided ethics training to its public officials, the country will need to provide detailed information about the ethics training provided in practice, including the number and categories of public officials trained, the substance of the training (e.g. training agenda, lists of participants and trainers, hand-out materials, evaluation reports), and the impact of the training on the public officials, such as results of surveys and other studies that demonstrate positive change in ethics behaviour and attitudes of the public officials. If the implementation measure led to significant or partial resolution of the problem, the country can be rated as largely or partially compliant. Only information provided no later than one month before the plenary meeting will be taken into account.

If the recommendation required that the country *considered* implementing a certain measure, full compliance would require that the country demonstrates that it assessed the feasibility to introduce the required measure and an official grounded decision was taken to introduce it or not.

Rating	Explanation
Fully compliant	All elements of the recommendation were implemented by the country.
Largely compliant	Most elements of the recommendation (more than one half) were fully implemented and only few elements were not implemented.
Partially compliant	Some of the elements of the recommendation (less than one half) were implemented, but most of them remain unimplemented.
Not compliant	None of the elements of the recommendation were implemented.

Drafting

The monitoring experts will be invited to prepare inputs for the sections of the draft report assigned to them based on the answers to the questionnaire, issues paper, and information received during the on-site visit, taking into account additional information collected through independent research. The Secretariat will collect these inputs from the monitoring experts and on their basis prepare the draft report. The monitoring experts will be invited to review the draft report.

The draft report will be sent to the monitored country, the civil society, business and international partners for comments. The monitored country and the partners will be invited to provide comments and suggestions in "track changes" mode. The monitoring experts will review the comments, and will advise the Secretariat how to revise the draft report. The Secretariat on the basis of the inputs from the experts will finalise the draft, and will distribute it to the delegates of the plenary meeting.

Adoption

Draft reports will be presented for the discussion and adoption by the ACN as a group at its plenary meetings. The discussion and adoption will include the following stages: (1) bi-lateral preparatory meetings between the monitoring experts, secretariat and the monitored country in order to review outstanding issues and to identify possible solutions, (2) and plenary readings to review outstanding issues and to adopt the reports by the whole ACN plenary meeting. The reports will be adopted on the basis of consensus and using the principle of equal treatment. A model agenda of the plenary meeting is provided below.

Model agenda of plenary meeting

Session	Description
First bi-lateral consultations*	• Presentation of the main conclusions of the assessment by the monitoring team; • Presentation of the proposed changes by the delegation of the monitored country; • Discussion of the proposed changes, inclusion of agreed changes in the draft report; • Identification of outstanding issues where no agreement was reached for the presentation at the plenary meeting.
First plenary reading	• Presentation of the draft report by the monitoring experts, including changes that were introduced during the first bi-lateral consultation, and about any outstanding issues; • Presentation by the delegation of the monitored country of their views on the draft report, including any areas of disagreement; • Presentation of views of the civil society and international partners (when available); • Plenary discussion of the draft report including outstanding issues, ratings and the new recommendations; representatives of countries that were involved in the 2nd round of monitoring of the examined country will be invited to start the discussion, followed by all other present countries; • Identification of outstanding issues for discussion in the second bilateral consultation.
Second bi-lateral consultations*	• Discussion of the outstanding issues identified by the plenary with the aim to develop an agreed text of assessment, ratings and new recommendations, and to present them in track changes mode for the plenary; • Identification of unresolved issues to be presented for the discussion in the plenary.
Second plenary reading	• Presentation of the changes introduced to the report during the second bi-lateral consultations by the monitoring experts; • Plenary discussion of the proposed changes with the view to adopt the final report.

* Note: The bilateral consultations involve the delegation of the monitored country, the monitoring team and the Secretariat. Other delegates, e.g. civil society groups or representatives of other countries and international organisations, can participate in the session with the agreement of the monitoring team and the monitored country.

Publication

Monitoring report adopted by the plenary meeting will be considered final. After linguistic editing and corrections, that will be done by the Secretariat in consultations with the monitored countries, the reports will be published on the ACN web site, in English and in Russian. The Secretariat will be responsible for the preparation of the press release on each of the monitoring reports.

Follow-Up

Official letter

The Secretariat will send an official letter with a copy of the monitoring report to the Prime Minister/President and the National Coordinator of each monitored country, and will invite them to further disseminate the report, including provide it to the UNODC Secretariat as part of the information that it is required to submit for the review of its implementation of the UNCAC.

Return mission

A one-day return mission to the monitored country will be organised as soon as possible after the adoption and the publication of the report to present the 3rd monitoring round report and discuss priorities for future action. Return mission will include (1) a joint meeting with relevant public institutions, NGOs, academia and international partners, (2) a press conference, (3) a bilateral meeting with the National Coordinator and (4) consultations with international partners, if appropriate. The organisation of the joint meeting, press conference and the bi-lateral meeting will be the responsibility of the National Coordinator; the Secretariat will be responsible for the organisation of consultation with international partners.

Model agenda of the return mission

Session	Description
Joint meeting for public institutions, non-governmental and international partners	The objective of the conference is to present the report adopted by the ACN and to discuss how the new recommendations can be implemented by the country, including actions by the state bodies, non-governmental organisations and international partners, and how information about these actions can be provided to the continued monitoring by the ACN. State bodies responsible for the implementation of the recommendations, representatives of the civil society, business and international partners will be invited to the conference.
Press conference	The press conference will provide an opportunity for the National Coordinator and for the representative of the ACN to present the report to the broader public through mass media channels in order to raise public awareness.
Consultation with international partners	The objective of this meeting is to discuss how donor agencies and representatives of international organisations engaged in anti-corruption projects in the country can support the implementation of the recommendations through their activities.
Bi-lateral meeting with the National coordinator	The meeting of the ACN representatives with the National Coordinator and other key anti-corruption officials will provide an opportunity to discuss technical issues related to the monitoring and participation of the country in other ACN activities.

Progress updates

After adoption of the monitoring report, the evaluated country will present, at each consequent ACN plenary meeting, its progress updates. These updates should include brief summary of measures taken to further implement recommendations, and other major anti-corruption developments. Written versions of the updates should be provided by the National Coordinators to the Secretariat two weeks before the plenary meetings. Experts or countries which participated in the previous monitoring round of a country will be invited to study the updates in advance of the meeting in order to prepare additional questions for discussion at the plenary. Civil society groups and other partners will be invited to contribute to the discussion of the government's updates or to present their reports on implementation of recommendations. After the plenary discussion, the updates provided by the countries, civil society and other partners (if available) will be published on the ACN website.

Annex 2. Cross-Country Thematic studies

Background

The ACN has implemented a variety of thematic activities in the past, including studies and seminars. Thematic studies were developed on several issues in order to formulate best practices and policy recommendations that can guide ACN countries in their efforts to implement international anti-corruption standards. Examples of such studies include the following: "Corruption: Glossary on International Standards in Criminal Law" (2008), "Specialised Anti-Corruption Institutions: Review of Models" (2008), "Asset Declarations for Public Officials: A Tool to Fight Corruption" (2011). A new thematic study on the topic of Ethics Training for Public Officials was launched in 2011 together with SIGMA and the OSCE, its completion is expected in 2012. Besides, in 2012, the Secretariat initiated the review of the 2008 study "Specialised Anti-Corruption Institutions: Review of Models"; its new edition is expected in 2012.

In addition to thematic studies, in the framework of the peer learning programme, the ACN organised thematic seminars: on anti-corruption policy in March 2011 in Vilnius, Lithuania; on investigation and prosecution of corruption in October 2010 in Bucharest, Romania, in June 2011 in Kyiv, Ukraine and in September 2012 in Batumi, Georgia. Seminar on integrity in the judiciary took place in June 2012 in Istanbul, Turkey.

Objective

The objective of thematic studies under the ACN Work Programme for 2013-2015 is to provide analytical support to the ACN countries in addressing common challenges and to develop best practice to guide countries in their anti-corruption reforms. The results of the studies will be presented in thematic reports.

Thematic studies will also provide a framework for the continuation of the peer learning programme. Expert seminars will be organised for practitioners working in the area covered by the thematic studies. The seminars will provide feedback on the thematic reports and will also provide an opportunity for peer learning and the exchange of experiences among the practitioners.

Themes

The *general areas* for the thematic studies were identified in consultation with the ACN National Coordinators. The general areas together with the most common specific questions are provided below:

1. **Anti-corruption policy and prevention of corruption in public administration**: strategies and action plans; policy coordination institutions; public participation and other measures to prevent corruption in public administration.[15]

2. **Criminalisation of corruption and law-enforcement**: corruption offences recently introduced or contemplated in the ACN countries, including elements of bribery offences, trafficking in influence, illicit enrichment, private sector corruption, foreign bribery; responsibility of legal persons; international cooperation and MLA; specialised law-enforcement bodies; [16]

3. **Prevention of corruption in business transactions**: prevention of corruption in business sector, including private and state owned companies, and in public procurement.

Specific questions to be addressed by each thematic study will be further identified in the discussion with the relevant groups of practitioners. To this end, the Secretariat will establish informal advisory groups for each of the thematic studies, including an advisory group on anti-corruption policy issues which will bring together ACN officials responsible for policy and prevention issues; the law-enforcement network may act as the advisory group for thematic study on criminalisation and law-enforcement, and another group may be established to guide the Secretariat in the development of the thematic study on the role of business in preventing corruption. Terms of references will be developed for each thematic study in order to establish clear scope, work plan and expected results, and will be presented to the ACN Steering Group.

Methodology

Thematic studies will be carried out under the responsibility of the ACN Secretariat. It may commission external experts to prepare the study. As discussed above, advisory groups composed of the representatives of ACN Steering Group or country experts will be established on a voluntary basis to guide the Secretariat and the external experts during the conduct of each study.

In order to gather data for studies, the Secretariat will collect data based on publicly available information such as official government information and also reports and studies developed by non-governmental, academic and research organisations or international organisations, media information and any other information available in public domain. If such data is not sufficient, countries may be asked to reply to a thematic questionnaire or questions specific to each country. No on-site visits to the countries will be conducted.

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[15] The theme of policy coordination institutions may be covered in the updated edition of the study "Specialised Anti-Corruption Institutions: Review of Models" which is planned in 2013.

[16] The theme of the specialised law-enforcement bodies may be covered in the updated edition of the study "Specialised Anti-Corruption Institutions: Review of Models" which is planned in 2013.

Thematic reports will contain an overview of common issues, best practices in the ACN countries and regional policy recommendations. They may also include case studies from selected countries to illustrate best practice and policy recommendations with country-specific experiences. The reports will be published in English and Russian.

Expert seminars will be organised in the framework of each thematic study. Expert seminars will be organised for practitioners working in the area covered by the thematic studies. The seminars will serve two purposes: (1) experts will be invited to provide feedback on the draft thematic reports prepared by the Secretariat; and (2) the seminars will also provide an opportunity for peer learning and the exchange experiences among the practitioners on recent developments in their respective fields of expertise. The speakers and participants for these seminars will be selected among the active practitioners in ACN and OECD countries who have hands-on experience. Sub-themes for the discussion will be selected based on the demand from practitioners.

Follow-up activities may be undertaken to disseminate the reports and to promote the implementation of best practices identified by the studies. This may include country or regional training seminars and conferences, which may be organised on demand from countries depending on available resources and in cooperation with the partner organisations.

Annex 3: Summary schedule for 2013-2015

	IAP monitoring	Cross-country thematic studies	Law-enforcement network	Steering Group
YEAR 2013				
Jan				
Feb				
Mar				
Apr				
May	On-site visits (AZ, GE)	1 or 2 seminars	1 meeting	
June				
July				
Aug				
Sept	**Plenary meeting (adoption of AZ, GE and MG reports)**			**15th meeting**
Oct				
Nov	On-site visits (TJ, UA)			
Dec				
YEAR 2014				
Jan				
Feb				
Mar	**Plenary meeting (adoption of TJ, UA reports)**			**16th meeting**
Apr				
May	On-site visits (KAZ, AM)	1 or 2 seminars	1 meeting	
June				
July				External evaluation
Aug				
Sept	**Plenary meeting (adoption of KAZ, AM reports)**			**17th meeting**
Oct				
Nov	On-site visits (KYR, UZ and MG)			
Dec				
YEAR 2015				
Jan				
Feb				
Mar	**Plenary meeting (adoption of KYR, UZ and MG reports)**			**18th meeting**
Apr		1 or 2 seminars		
May			1 meeting	
June				
July				
Aug				
Sept				
Oct				
Nov		3 thematic reports		**General Meeting**
Dec	Summary Report			

Annex 4: Evaluation indicators

Evaluation indicators will be developed in a form of a logical framework table, a logframe, in line with the guidance of the OECD Development Co-operation Directorate and its Network on Development Evaluation.[17]

This logframe will be used to assess the mid-term results which the ACN expects to achieve through implementation of its Work Programme for 2013-2015. It will bring together key components of the Work Programme, and will help to ensure that activities, outputs, and objectives fit together. It clarifies how progress and success will be assessed and provides the basis for monitoring and evaluation. The logframe will be broken down into four levels, including:

Project structure:
(1) *Activities* (description of the tasks which need to be completed to produce outputs);
(2) *Outputs* (description of the changes and results which will help achieve the objectives/outcomes);
(3) *Outcome* (description of the overall purpose of the Work Programme: what will be achieved as a result of its implementation, what will change, who will benefit and how); and
(4) *Impact* (description of a goal to which the Work Programme will contribute but which is not intended to be achieved through this ACN Work Programme alone);

Indicators of Achievements:
- *Indicators* (quantitative measures or qualitative evidence by which achievements can be judged);
- *Baseline* (information on the current situation as of December 2012);
- *Targets* (what the situation should be by the end of 2015) and *Milestones* are added in the *Activities* and *Outputs* levels to track annual progress towards the final targets; and
- *Sources* (indication of the sources of information which will be evaluated under each indicator and means of collection and verification of such information).

The logframe will also identify the main factors related to the success of the implementation of the Work Programme which are summarised as ***Assumptions***.

The logframe will be used for the regular internal self-evaluation by the Steering Group and for the mid-term external evaluation which will be carried out by an external independent consultant in the middle of implementation of the Work Programme. The logframe is a prediction; the situation on the ground may change during the course of Work Programme implementation, requiring adjustments to outputs and output indicators in order to achieve the outcome.

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[17] More information can be found at:
http://www.oecd.org/development/evaluationofdevelopmentprogrammes/dcdndep/publicationsanddocuments.htm.

Annex 5: Budget estimate

EXPENDITURE ITEM EUROS	2013	2014	2015
Management and secretarial support	355,740	357,358	358,976
Operational expenditures			
Istanbul Action Plan Monitoring	171,803	252,966	81,163
Thematic Reviews	73,200	73,200	73,200
Law Enforcement Network	55,200	55,200	55,200
General meeting	-	-	124,890
SUB-TOTAL	**655,943**	**738,724**	**693,429**
OECD Grant Administration Charge*	44,103	49,669	46,623
TOTAL ESTIMATED EXPENDITURE	**700,046**	**788,393**	**740,052**

* VC administration charges currently represent 6.3% of the total contribution amount