

Conference on

Assessing the Implementation and Effectiveness of Systems for Disclosing Interests and Assets by Public Officials

DRAFT AGENDA

6-7 June 2017

Tbilisi



■ Organisers

This conference is hosted by the Civil Service Bureau of Georgia and co-organised by the Anti-Corruption Network of OECD, UNDP, the Regional Anti-Corruption Initiative (RAI) and the Regional Hub of Civil Service in Astana.

■ Context

Over the past several decades, interests and asset disclosures by public officials (IADPOs) have been widely acclaimed as essential ingredients of comprehensive national anti-corruption strategies and key mediums of instilling public sector integrity. IADPOs have been embedded in laws in numerous countries around the globe with a view to bolstering citizens' trust in government, enhancing transparency in public administration and holding public officials accountable for corruption offences.

Although international standards on the exact parameters of IADPOs do not exist, certain pre-requisites have permeated international legal instruments, both “hard” or “soft” law, as well as policy documents, notably the UN Convention against Corruption¹, the OECD Guidelines for Managing Conflict of Interest in the Public Service, the G20 High-Level Principles on Asset Disclosure by Public Officials and the APEC Principles for Financial/Asset Disclosure by Public Officials.²

The design and management of IADPOs vary substantially. Where they have been established, such systems pursue the objective: 1) to ensure that public sector decisions are not compromised by conflicts of interest and that such actual or potential conflicts are prevented, identified, managed, or properly sanctioned; or 2) to monitor wealth variations of public officials and to facilitate the detection, investigation and prosecution of illicit enrichment or taking other remedial action against public officials concerned; or 3) both of the aforementioned goals.

In 2009, OECD and UNDP, jointly with OSCE, organised a conference on “Asset Declarations for Public Officials as a Tool against Corruption” in Belgrade, Serbia. This event led to the release in 2011 of a study produced by the OECD Anti-Corruption Network (ACN) on “Asset Declarations for Public Officials. A Tool to Prevent Corruption” mostly grounded in the empirical data collected prior to 2009. The study provided a thorough review of asset disclosures in Eastern Europe and Central Asia as well as in certain OECD member States. It focused on issues such as the purposes of income and asset declarations, legal basis and institutional arrangements, subjects of disclosure, scope and content of declarations, etc. Since then, most of the ACN countries have advanced considerably in the implementation of their IADPOs and accumulated further valuable experience and expertise in this domain. Therefore, the time is ripe to ascertain, in a systematic way, the true functionality of IADPOs and their actual role and place in a holistic national anti-corruption strategy and in the promotion of public sector integrity.

Evidence available to OECD/ACN suggests that countries in the ACN region and other parts of the globe have developed new approaches to IADPOs, especially regarding electronic declarations, their publication and verification. At the same time, recent

¹ The Convention contains three provisions addressing private interest disclosures: Articles 8, paragraph 5; Article 9, Paragraph 1(e), Article 52, paragraph 5.

² APEC (Asia-Pacific Economic Cooperation) Principles for Financial /Asset Disclosure by Public Officials: Fundamentals for an Effective Tool to Prevent, Detect, and Prosecute Conflicts of Interest, Illicit Enrichment, and Other Forms of Corruption. The APEC Conduct Principles for Public Officials are also relevant.

experience indicates that implementing and enforcing IADPOs is a process that might be fraught with difficulty. There is a growing demand for analytical assistance and guidance on how to enhance the rigorousness of IADPOs so that they cease to be a burdensome bureaucratic formality with questionable outcomes. Similarly, a demand has been increasing for cross border co-operation, causing even more burdensome processes and hurdles. So far, no mechanism exists for integrity bodies to exchange data internationally for the purpose of conducting administrative checks.

■ Objectives

The conference will pursue the following objectives:

- to provide a forum for key stakeholders responsible for the design, management, implementation, enforcement and on-going evaluation and improvement of IADPOs;
- to highlight existing experiences in the implementation and enforcement of IADPOs in practice, depending on the specific goal(s) pursued by these systems (see above) and to distil any prevailing trends;
- to capture new tendencies in terms of on-going evaluation and impact assessment by countries concerned of the effectiveness of IADPOs in their own right and by placing them in the broader frame of national anti-corruption initiatives;
- to ascertain what has worked best and why. Where IADPOs have proven less effective, the participants will seek to establish the reasons for this and examine what is already being done or what could be done to reinvigorate IADPOs, with due regard for national circumstances;
- to exchange information on the existing research and to promote national, regional and international data collection, in order to better identify and evaluate potential obstacles to more effective implementation and enforcement;
- to inform the preparation of the OECD/ACN study on this topic and to allow for the identification of good practices that can be applied by governments and international organisations to further reform IADPOs on a country level;
- to share innovative ideas, concepts and solutions in regards to overcoming various obstacles to effective implementation and enforcement of IADPOs, with a special focus on cross-border co-operation.

■ Meeting Format

The conference will take the form of a plenary discussion lasting two days. The goal of Session I will be to explain the objectives and methodology of the future OECD/ACN study as well as the process pursuant to which it is being carried out. Sessions II-IV will each review the deliverables of IADPOs as compared to initial objectives of those systems, notably: 1) prevention and sanctioning of conflicts of interest; 2) monitoring wealth variations of public officials and detection, investigation and prosecution or other remedial action against illicit enrichment; and 3) combination of the above two. Perceptible approaches and trends will be identified and highlighted. At the end, the conclusions of the conference will be presented by the OECD/ACN Secretariat.

The working languages of the conference will be English and Russian.

■ Participants

The conference will bring together around 50 participants from OECD/ACN countries, OECD member and non-member States and specifically:

- policy makers and practitioners responsible for the design, management, implementation, enforcement and on-going evaluation and improvement of IADPOs;
- members of parliament;
- public officials of various ranks;
- civil society, academics and media representatives; and
- international organisations.

■ Expected Outcomes

The conference is expected to:

- give fresh momentum to the international dialogue on IADPOs by bringing into the spotlight the implementation and enforcement aspects, which have not yet been thoroughly studied;
- help identify good practices in periodic evaluation of effectiveness and impact assessment of IADPOs;
- shed light on the effectiveness of IADPOs as applied to high-risk sectors or categories of public officials, such as procurement agents, tax and customs officers, and financial authorities;
- analyse the role and function of IADPOs in the broader context of national anti-corruption strategies so as to gauge whether they have an impact on or are at present generating potential for more forceful prevention and detection of corruption and public perception thereof.

■ Date, time and venue

6-7 June 2017

Holiday Inn Tbilisi, 1, 26 May Square, Tbilisi 0171, Georgia

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■ Draft agenda

Tuesday 6 June 2017

09:30-10:30 **Opening Remarks**

Chair

- **Catherine KARDAVA**, Head of the Civil Service Bureau, Georgia

Panellists

- **Alexander BARAMIDZE**, First Deputy Minister of the Ministry of Justice, Georgia
- **Maia TSKITISHVILI**, Head of the Administration of the Government, Georgia
- **Niels SCOTT**, UN Resident Coordinator and UNDP Resident Representative
- **Alikhan BAIMENOV**, Chairman of the Steering Committee, Regional Hub of Civil Service in Astana
- **Davor DUBRAVICA**, Chairperson, Regional Anti-corruption Initiative
- **Olga SAVRAN**, Manager, Anti-Corruption Network, OECD

- “Anti-Corruption Policy and Institutional Framework: The Role of the Anti-Corruption Council in Georgia” - **Zurab SANIKIDZE**, Head of the Analytical Department, Secretary of Anti-Corruption Council, Ministry of Justice, Georgia

10:30-11:00 *Coffee break*

11:00-12:30 **Session 1: Introduction to the methodology of the OECD/ACN study on “Assessing the Implementation and Effectiveness of Systems for Disclosing Interests and Assets of Public Officials”**

Moderator

- **Liubov SAMOKHINA**, Legal and Policy Analyst, Anti-Corruption Division, OECD

Panellists

- **Robert Alan DOIG**, OECD Consultant, Newcastle Business School, Northumbria University, England
- **Laura STEFAN**, OECD Consultant, Expert Forum, Rule of Law and Anticorruption Coordinator, Romania
- **Giuseppe LOMBARDO**, OECD Consultant on financial integrity, anti-money laundering and countering the financing of terrorism

12:30-14:00 *Lunch*

14:00-15:30 **Session 2: Assessing the Implementation and Effectiveness of Interests and Asset Disclosure Systems Aimed at Preventing and Resolving Conflicts of Interest**

Moderator

- **Shelley INGLIS**, Regional Governance and Peacebuilding Team Leader, UNDP

Panellists

- “New System for Interests and Asset Disclosure in Chile within the context of the Integrity Agenda” - **Francisco Sebastián SANCHEZ LAY**, Advisor, Transparency and Probity Commission, Ministry General Secretariat of Presidency, Chile
- “The role of income and asset declarations of public officials” - **Dalija OREŠKOVIC**, President, Commission for the Resolution of Conflicts of Interest, Croatia
- “Regulatory/performance audits towards assessing the effectiveness of interests and asset disclosures by public officials” - **Valērijs STŪRIS**, Head of policy planning and analysis, State Audit Office, Latvia
- “Interests declarations: an essential tool for institutions to detect and manage conflicts of interest” - **Marisa MIRALLES**, Legal Advisor, Anti-Fraud Office of Catalonia, Spain
- “Financial disclosure in the U.S. executive branch: improvements continue” - **Patricia ZEMPLE**, Ethics Specialist, Department of the Interior, United States of America

15:30-16:30

Coffee break

16:30-18:00 **Session 3: Assessing the Implementation and Effectiveness of Interests and Asset Disclosure Systems Aimed at Monitoring Wealth Variations of Public Officials and Identifying Illicit Enrichment**

Moderator

- **Laura STEFAN**, OECD Consultant, Expert Forum, Rule of Law and Anticorruption Coordinator, Romania

Panellists

- “The Strengths and Weaknesses of Asset Disclosure System of Armenia” - **Lilit PETROSYAN**, Commissioner, Commission on Ethics of High-Ranking Officials, Armenia
- “Asset Declaration Monitoring System in Georgia” - **Elguja MAKALATIA**, Head of the Declaration Monitoring Department, Civil Service Bureau, Georgia
- “Challenges of effective asset disclosure in Georgia: A civil society perspective” - **Erekle URUSHADZE**, Program Manager, TI Georgia
- “Declaration of assets by Public Officials in the Kyrgyz Republic: practice and prospects” - **Oleg TARBINSKI**, Deputy Director, State Personnel Service, Kyrgyzstan
- **Lkhagvasuren SUCH-OCHIR**, Head of Division, Inspection Division of the Inspection and Analysis Department, Independent Authority against Corruption, Mongolia
- “Key aspects of wealth monitoring (and control of interests) in Portugal: structure, conduct and performance” - **José Manuel RIBEIRO DE ALMEIDA**, Senior Public Prosecutor, Constitutional Court, Portugal
- “From paper to open data: functioning the new e-asset declaration system in Ukraine” - **Valeriy SAIENKO**, Deputy head of the department for financial control, National Agency on Corruption Prevention, Ukraine and **Ivan PRESNIAKOV**, Project Lead, UNDP Ukraine

Wednesday 7 June 2017

09:30-11:00 Session 4: Assessing the Implementation and Effectiveness of Interests and Asset Disclosure Systems Pursuing Dual Goals

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| Moderator | <ul style="list-style-type: none">• Alan Robert DOIG, OECD Consultant, Newcastle Business School, Northumbria University, England |
| Panellists | <ul style="list-style-type: none">• “Concept for Improving the Effectiveness of the Asset Disclosure Systems and Prevention of Corrupt Behavior Among the Senior Ranking Officials” - Silvia KADREVA, Director of the Public Registry on Asset Declarations, National Audit Office, Bulgaria• “A data-driven approach: implementation and effectiveness of the French interests and assets disclosure system” - Guillaume VALETTE-VALLA, Secretary General, High Authority for Transparency in Public Life, France• “Construction of the institutional integrity system: financial disclosures and policies to manage conflict of interests, incompatibilities and unjustified assets” - Anamaria ANGHELESCU, Head of Office, Integrity Inspection, National Integrity Agency, Romania• “Introduction to the Slovenian approach to conflicts of interest and illegal enrichment with an emphasis on the role of the Commission for the Prevention of Corruption” - Matic KUMER, Adviser on Prevention and Public Integrity, Commission for the Prevention of Corruption, Slovenia• “Increasing effectiveness through administrative and criminal sanctions” - Mato MEYER, Chief Technical Advisor for Anti-corruption, UNDP Kosovo³ |

11:00-11:30 Coffee break

11:30-13:00 Session 4 continued

13:00-14:00 Lunch

³ References to Kosovo shall be understood to be in the context of Security Council Resolution 1244 (1999)

14:00-16:00 **Session 5: Global perspectives on the Systems for Interests and Asset disclosures by Public Officials**

Moderator

- **Olga SAVRAN**, Manager, Anti-Corruption Network, OECD

Panellists

- "Public officials's wealth reports: Indonesia experiences" - **Cahya HARDIANTO HAREFA**, Director of State Organizer's Assets Registration & Examination, Corruption Eradication Commission, Indonesia
- "Asset disclosure in the United Nations Convention against Corruption"- **Constantine PALICARSKY**, Crime Prevention and Criminal Justice officer, UNODC
- "Towards more robust disclosures of interests and assets by members of parliament, judges and prosecutors: GRECO's approach" - **Vita HABJAN BARBORIČ**, Member of Bureau, Group of States against Corruption (GRECO) of the Council of Europe
- "Council of Europe's work on effectiveness of interests and asset disclosures by public officials" - **Tea ZARNADZE**, Senior Project Officer, Economic Crime and Cooperation Division - Directorate General I, Council of Europe
- "How regional cooperation benefits national efforts: Cooperation on Asset Disclosure and Conflict of Interest experiences from South East Europe"- **Vladan JOKSIMOVIC**, Head of Secretariat, Regional Anti-corruption Initiative

16:00-16:30

Coffee break

16:30-17:00 **Concluding remarks**

Panellists

Closing remarks by the host and co-organisers