

ACN

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for Eastern Europe and Central Asia**

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

Istanbul Anti-Corruption Action Plan

Second Round of Monitoring

Procedure and Questionnaire

This document was approved by the ACN Steering Group through written procedure on 30 August 2008.
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TABLE OF CONTENTS

MONITORING PROCEDURE	5
Background	5
General approach	6
Main stages of country monitoring	7
Adoption of the procedure	7
Coordinating institutions, monitoring experts, OECD Secretariat and team leaders	7
Questionnaire and preliminary findings.....	8
On-site visit.....	9
Finalising the monitoring reports.....	9
Plenary meetings and adoption of the reports.....	10
Publication of monitoring reports.....	10
Scope and structure of the monitoring reports	11
Tour de Table	11
Training seminar for monitoring experts.....	12
Thematic seminars back-to-back with plenary meetings	12
Summary of the monitoring process	13
Schedule of on-site visits and plenary meetings	17
Budget.....	18
ANNEX 1: MONITORING QUESTIONNAIRE	20
Explanatory Note	20
Cover page	22

Introduction	22
Pillar 1: Anti-Corruption Policy.....	23
Pillar 2: Criminalisation of corruption.....	29
Pillar 3: Prevention of Corruption	44
ANNEX 2: STANDARD AGENDA OF ON-SITE VISITS.....	59
ANNEX 3. RATINGS.....	64
Summary Ratings	65

Tables

Table 1. Summary of the monitoring process	13
Table 2. Schedule of country monitoring.....	17
Table 3. Budget estimate	19
Table 4. Standard agenda of on-site visits	60
Table 5. Ratings	64

MONITORING PROCEDURE

Background

1. The Anti-Corruption Network for Eastern Europe and Central Asia (ACN) is one of the OECD outreach programmes, which aim to promote higher anti-corruption standards in non-member countries through exchange of experience, mutual learning and development of best practices. To reach this objective the ACN organises a range of activities, including General Meetings and expert seminars, research studies and analytical papers, and sub-regional initiatives (e.g. in the past the ACN supported the Baltic Anti-Corruption Initiative and the Stability Pact Anti-Corruption Initiative).
2. Istanbul Anti-Corruption Action Plan is the main sub-regional initiative at present. This initiative focuses at the countries of the former Soviet Union, which did not take part in other sub-regional programmes. Participation in this initiative is on a voluntary basis. Armenia, Azerbaijan, Georgia, Russia, 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.
3. Other ACN and OECD countries, international organisations and civil society participate in the implementation of the Istanbul Action Plan.
4. The implementation of the Istanbul Action Plan involved the following stages:
 - *Reviews of legal and institutional frameworks for fighting corruption.* The governments of the Istanbul Action Plan countries prepared self-assessment reports on the basis of standard Guidelines, drawn up by the Secretariat. Groups of experts from ACN and OECD countries reviewed these self-assessment reports and developed their recommendations. Plenary meetings of the Istanbul Action Plan discussed and adopted country assessment reports and recommendations based on consensus. Country reviews and recommendations cover three main areas: (1) anti-corruption policies and institutions, (2) criminalisation of corruption and law-enforcement, and (3) preventive measures in public service and financial control. Reviews were completed during 2003-2005.
 - *Updates about measures taken by governments to implement the recommendations.* After the adoption of country recommendations, the governments of the Istanbul Action Plan countries regularly prepared updates about measures taken to implement the recommendations and presented them for information and discussion at each plenary meeting, during 2004-2007.

- *Country examinations to monitor the implementation of the recommendations.* Country examinations were based on answers to Monitoring Questionnaires prepared for each country, and included on-site visits by a group of experts from other ACN and OECD countries. On the basis of the answers to the questionnaire and information gathered during the on-site visit, the expert groups developed draft monitoring reports, which included assessment of progress and ratings for all recommendations as fully, largely, partially or not implemented. The draft monitoring reports were presented for the discussion and adoption at Istanbul Action Plan plenary meetings. Examinations were completed during 2005-2007.¹

5. For more information about the implementation of the Istanbul Action Plan, please refer to the country review and monitoring reports, as well as country updates, available at the ACN web site www.oecd.org/corruption/acn. Please also refer to the report prepared by the ACN Secretariat "Fighting Corruption in Eastern Europe and Central Asia: Progress and Challenges", which summarises main findings of reviews and monitoring of the Istanbul Action Plan countries, identifies main trends, including recent achievements and future challenges.

6. The ACN Steering Group meeting in September 2007 agreed that the monitoring process under the Istanbul Action Plan should be continued. Following the guidance of the ACN Steering Group, the Secretariat developed a proposal for procedure and questionnaire for the second round of monitoring. This proposal was discussed by the ACN Steering Group at its meeting in June 2008, and supported in general, with several additional suggestions. It was agreed to that the ACN Secretariat will develop the final proposal based on these suggestions, and will submit it for written approval of the ACN Steering Group by 30 August 2008.

General approach

7. The second round of monitoring under the OECD/ACN Istanbul Action Plan will continue examining countries in a *comprehensive manner*, where all themes are examined in one package. Comprehensive reviews allow examining many interrelated policy issues and in this way provide useful inputs for country policy-makers. Continuation of the comprehensive approach - typical for the OECD Working Group on Bribery - will provide additional value to the GRECO examinations, which focus at selected themes at each monitoring round.

8. The second round will aim to (i) update the existing performance ratings on the basis of the existing recommendations adopted during country reviews and (ii) update existing recommendations, when necessary, and develop a set of new recommendations for areas which were not covered previously.

9. The *UNCAC standards* will be used as the main benchmarks for the second round of monitoring, together with other international instruments, such as the OECD and the Council of Europe anti-corruption instruments, and best practices.

¹ The Russian Federation did not complete the full programme of the Istanbul Action Plan, but it is expected, that it will be subject to anti-corruption review in the framework of its accession to the OECD.

10. The second round of monitoring will apply a *standard questionnaire* for all countries, while recommendations will be country specific. It will further involve *one on-site mission* to each country, which will aim at mobilising political support to anti-corruption reforms. As a result one *comprehensive monitoring report* will be adopted for each country at the plenary meeting of the Istanbul Action Plan.

11. *Review by peers* from other countries, including experts nominated by the Istanbul Action Plan members, OECD/EU and transition countries, will remain the main feature of the process. Participation of civil society and international partners will continue to be promoted.

12. To provide analytical assistance to countries to cope with the most challenging issues, the Secretariat will explore possibility to supplement the peer review with *peer learning*. In practical terms, it will aim to organise expert seminars back-to-back with the plenary meetings, to discuss selected themes, to exchange experience and to form best practices.

13. *Co-ordination with other international organisations* involved in the fight against corruption in the region 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 do not contradict, but reinforce each other. This co-ordination should aim at avoiding unnecessary duplication of work by the international organisations and by the monitored countries. This co-ordination will involve exchange and harmonisation of methodologies, work plans and schedules, of draft and final reports and other information related to the monitoring process. To this end, the ACN Secretariat will liaise with the Council of Europe GRECO and with the UNODC in its capacity as the Secretariat for the UNCAC implementation.

Main stages of country monitoring

Adoption of the procedure

14. Upon the adoption of the procedure, the Secretariat will prepare the schedule of country on-site missions and plenary meetings in consultations with the ACN governments and international partners, specifically with GRECO, to avoid overlaps and promote co-operation.

15. The Secretariat will send official letters to the governments of the Istanbul Action Plan countries to inform them about the launch of the second round of monitoring, and to highlight the main inputs expected from the countries, including nomination/confirmation of the coordinating institution, preparation of answers to the questionnaire, nomination of monitoring experts and co-funding.

Coordinating institutions, monitoring experts, OECD Secretariat and team leaders

16. The Istanbul Action Plan countries will be invited to appoint/confirm their coordinating institution (or national coordinator), responsible for the second round of monitoring under the Istanbul Action Plan. These institutions will 1) coordinate the nomination of national monitoring experts, 2) coordinate the development of the answers to the questionnaire, and submit the answers; 3) assist the Secretariat in planning of the on-site mission and will coordinate the on-site mission with all other government agencies; 4) coordinate the review of draft report; 5) ensure participation of the appropriate delegation

at the plenary meeting; 6) organise any follow-up work, e.g. press conference, translation into the national language, dissemination to various agencies.

17. The Istanbul Action Plan countries will be invited to submit nominations of their monitoring experts (the nomination should include CVs of the experts). Other ACN countries will also be invited to nominate their monitoring experts, in order to ensure that the monitoring teams are well balanced and benefit from experience of both transition and more advanced OECD and EU states. It is important to note that the monitoring experts should have good working experience in one of the areas covered by the monitoring, be familiar with the international anti-corruption standards, and should be able to work in multi-cultural groups, be fluent in spoken English and be able to draft reports in English. Monitoring teams for each country will be assembled with the view to ensure a balance of expertise and country representation; the monitored country will be invited to review the proposed list of experts and raise any legitimate concerns it may have.

18. Monitoring experts will 1) review answers to the monitoring questionnaire and will raise additional questions, 2) review additional questions, with the assistance of the Secretariat carry out independent research, and prepare first draft report, 3) visit the country with the on-site visit and interview local authorities, NGOs and foreign missions, 4) prepare second draft report for the comments by the monitored country, 5) update the draft report taking into account the comments of the monitored country, 6) present the final draft of the report at the plenary meeting of the Istanbul Action Plan, and finalise the report on the basis of plenary and bi-lateral discussions during the meeting.

19. The Team Leaders for the second round of monitoring under the Istanbul Action Plan will 1) assist the Secretariat in the development of the procedure for the second round of monitoring, 2) lead the examination of countries, including the on-site visits, co-ordination of expert teams and overseeing the drafting of the country reports, 3) chair the plenary meetings, including the plenary and bi-lateral sessions, and 4) assist the Secretariat in organisation of training seminar for monitoring experts and of the back-to-back thematic seminars.

20. The Secretariat will be responsible for overall co-ordination of the second round of monitoring under the Istanbul Action Plan. It will liaise with the monitored and other ACN countries, with the monitoring experts and with the Team Leaders, with NGOs and international partners throughout the second round of monitoring in order to ensure smooth and timely exchange of information and of documents and proper logistical organisation of activities. For more details about the tasks of all parties, please refer to Table 1: Summary of the Monitoring Process.

Questionnaire and preliminary findings

21. Upon the adoption of the schedule, the countries will be invited to fill out the questionnaire (see Annex 1). Countries will prepare their answers to the questionnaire and will submit them to the Secretariat together with all required documents, in English or in Russian language.

22. Expert monitoring teams review the answers; they may ask additional questions and request additional documents; experts are encouraged to carry out additional independent research, when necessary.

23. Experts prepare the first draft of the monitoring report before the on-site visit. The aim of the first draft is to formulate preliminary issues: to establish which issues were sufficiently clear from the answers, which issues require clarification, and which issues present problems and require special attention during the monitoring.

24. The Secretariat will provide information to the monitored countries on the preliminary findings and key issues which require clarification or which present problems before the on-site visit.

On-site visit

25. The on-site mission will start with an introductory meeting with the coordinating institution. It will further involve thematic panels with relevant state officials, special panels for civil society and foreign missions, and will close with a wrap up meeting for the coordinating institution. The duration of the on-site visit will be around 3-4 working days.

26. A standard agenda for the on-site visit is provided in Annex 2. The coordinating institution will work together with the Secretariat in order to finalise the agenda, e.g. it may suggest to add/remove/merge some of the thematic sessions, to add/remove agencies to be invited. The coordinating institution will identify and invite all relevant officials to the thematic sessions, and will provide list of participants for each thematic session.

27. Relevant officials from public institutions responsible for issue covered by this monitoring will be invited to attend corresponding thematic sessions. The coordinating institution will provide the meeting room, where all thematic sessions will take place. Exceptionally, thematic sessions can be organised in another venue (e.g. meeting with the members of the Parliament, or if an alternative location provides for time efficiency); in this case the coordinating institution will provide the transport.

28. The Secretariat will contact civil society groups (NGOs, media, business and academia) and foreign community (embassies, aid programmes, Multilateral Development Banks (MDBs), foreign business) and will organise special sessions with them. Government officials will be invited to abstain from participation in these meetings in order to ensure free exchange of information with non-governmental sector. However, the coordinating institution may suggest to the Secretariat to invite any particular NGOs or foreign partners to these sessions.

Finalising the monitoring reports

29. The monitoring experts will be invited to develop the second draft of monitoring report based on the results of the on-site mission. They will be invited to carry out independent additional research, and to use publicly available information, when necessary.

30. The second draft of the monitoring report will be sent to the monitored country for comments. The monitored country will be invited to provide any comments and suggestions it may have, including general comments and specific comments on each paragraph (in a standalone document with references to specific paragraphs of the draft report or in revision mode). The monitored country will also be invited to substantiate any comment by a reference to specific legal and other documents (copies should be provided).

31. Experts will update the draft, and develop the third version of the monitoring report, which will be sent to the monitored country and to all delegates of the plenary meeting in advance.

Plenary meetings and adoption of the reports

32. Subject to the adoption of the monitoring schedule, it is proposed to hold two or three Istanbul Action Plan plenary meetings. Each plenary meeting will examine 2 or 3 countries of the Istanbul Action Plan.

33. During the plenary meeting, review of each country monitoring will include: preliminary meeting, first reading, and bilateral meeting with the experts, second reading and adoption at the plenary meeting.

34. While the text of the monitoring report after its adoption at the plenary meeting cannot be changed substantively, there may be a need to verify the accuracy of translation and to edit the final text from the point of view of linguistic corrections. The Secretariat will request the monitored countries to provide their linguistic corrections (e.g. to verify the correct names of various documents and institutions), and will finalise the editing on that basis, in English and Russian.

Publication of monitoring reports

35. The Secretariat will publish the final reports on the OECD/ACN web site not later than one month after their adoption. The Secretariat will also send an official letter with a copy of the monitoring report to the Prime Minister and the Coordinating Institution of each monitored country, and will provide the Coordinating Institution with hard copies for dissemination inside each monitored country.

36. The Secretariat will be responsible for the preparation of the press release on each of the monitoring reports. It will provide the draft for the comments of the monitored country's delegation, and will finalise it taking into the account these comments as well as comments from the OECD Directorate for Public Affairs and Communication (PAC). The Secretariat will send the press release to media outlets via the PAC contacts.

37. The Istanbul Action Plan members and the Secretariat will be encouraged to carry out further follow-up activities to disseminate the monitoring reports. This may involve publishing the report on the web-site of the Coordinating Institution, sharing reports with international organisations and partners, organising press-conferences and other events. Countries are invited to translate their reports in their national languages and to facilitate their dissemination to relevant public agencies and NGOs.

Scope and structure of the monitoring reports

38. The monitoring reports will contain assessment of compliance with the existing recommendations (adopted during 2004-2005). Reports will include description and analysis of the measures introduced in order to implement the recommendations since the first round of monitoring and updated compliance ratings, which were adopted after the first round of monitoring. For more information about the compliance ratings, please see Annex 3.

39. Besides, the monitoring reports will update country recommendations where necessary, i.e. recommendations can be brought up to date when the context in the country has changed (e.g. there are new anti-corruption strategy and institutional arrangement, and the old recommendations do not apply any longer), clarified (e.g. when the specific focus of the recommendation can be made more precise based on the new information received during the monitoring) and brought in line with good international practice.

40. New recommendations will be added in the areas which were not addressed by the existing country recommendations, and which are covered by the questionnaire.

41. There will be no assessment against the updated or new recommendations, which will only be assessed in any monitoring after the second round.

42. The monitoring reports will cover the period after the first round of monitoring and adoption of the first monitoring reports. The on-site visits will be the main cut-off date for the submission of any information, which will be taken into account for the assessment of progress. However, in case there are any new developments between the on-site visit and the adoption of the monitoring report at the plenary meeting, they will be reflected in the report if relevant information, including copies of newly adopted laws and decisions, is submitted not later than 60 days after the on-site mission.

Tour de Table

43. It is proposed to transform the current Tour de Table from general country updates covering all recommendations, to presentation of highlights and key corruption cases. Countries will be invited to present the 2-3 main highlights of the anti-corruption work, and 1-2 most important corruption cases currently under investigation/prosecution/adjudication. Criteria for selection of the cases can be the following:

- Investigation of bribery or other corruption related offence
- At least one accused is a public official at senior level , or the case has attracted major public attention
- International dimension.

44. Presentation of the cases should include information on how the case was detected, short description of established facts, offences involved, stage of proceedings (investigation/prosecution/trial), main results (arrested, suspected, or convicted persons), provisional measures applied (e.g. arrest of assets), MLA requests prepared, etc. Scope of information that is presented may be restricted if this is necessary to comply with the country's legislation.

45. The countries will be invited to provide their written presentation one month before the meeting of the Istanbul Action Plan. The meeting will be invited to raise question and to discuss the presentations.

Training seminar for monitoring experts

46. The Secretariat will aim to organise a training seminar for all monitoring experts in order to prepare them for the on-site missions, drafting of monitoring reports and their negotiation at the plenary meetings. The Secretariat will organise the seminar before the launch of the programme, tentatively in autumn 2008 at the OECD headquarters or another location (would that provide for a more economical arrangement). The seminar will contribute to harmonising the methodological approach, including the application of the ratings, among all monitoring experts. Countries should aim to ensure that those experts, who participate in the training seminar, will also take part in actual monitoring. The seminar language will be English, no interpretation will be provided.

47. The OECD Secretariat will contact GRECO and UNODC to invite their inputs and participation in this training seminar.

Thematic seminars back-to-back with plenary meetings

48. The Secretariat will aim to organise one day peer learning/thematic expert seminar on one of the issues identified as priority during the monitoring. These peer learning expert seminars will be organised back-to-back with the plenary meetings. Experts from OECD, EU and transition economies will be invited to present their experience and to discuss specific priority issues with the view to develop best practices in selected challenging areas of anti-corruption policy.

Summary of the monitoring process

Table 1. Summary of the monitoring process

	Monitoring action	Responsible body	Time before next step
1.	Forming groups of monitoring experts		
1.1.	Nomination of monitoring experts by all countries	Coordinating institution	3 month before the visit
1.2.	Establishing monitoring teams and identifying the Team Leader	Secretariat	2 months before the visit
1.3.	Secretariat clears the list of monitoring experts with each monitored country	Coordinating institution	
2.	Answers to questionnaire		
2.1.	Secretariat agrees with the country on the date of submission of the answers to the questionnaire, and the date of the on-site visit	Secretariat	4 months before the on-site visit
2.2.	Country submits answers to the questionnaire and all relevant legislation	Coordinating Institution	2 months before the on-site visit
2.3.	Translation of the answers	Secretariat	
2.4.	Experts ask additional questions	Experts	
2.5.	Country submits additional answers	Coordinating institution	
2.6.	Translation of the additional answers	Secretariat	
3.	Preparation for the on-site visit		1 month before the on-site visit
3.1.	Experts prepare first draft of the monitoring report and identify main outstanding issues	Expert and Team leader	
3.2.	Secretariat communicates the main outstanding issues to the country	Secretariat	
3.3.	Secretariat invites the country to develop the agenda based on the standard programme for on-site visits	Secretariat	
3.4.	Country prepares draft agenda of the meetings and submits it to the Secretariat	Coordinating institution	
3.5.	Secretariat may request additional meetings	Experts, Team leader and Secretariat	

3.6.	Country prepares final agenda of the meetings and submits it to the Secretariat	Coordinating institution	
3.7.	Secretariat organises a panel with the civil society	Secretariat with NGO partners	
3.8.	Secretariat organises a panel with foreign missions and international organisations	Secretariat with international partners	
3.9.	Logistics: visas, travel, per diem, hotel, interpretation, etc.	Secretariat with Coordinating institution	
3.10.	Country confirms to Secretariat its arrangements to co-fund the on-site mission	Coordinating institution	
4.	On-site visit (3-4 days)		3 months before the meeting
4.1.	Preparatory session among the experts	Monitoring group (Team leader, experts and Secretariat)	
4.2.	An opening meeting with the key public officials	Coordinating institution, other key officials, monitoring group	
4.3.	Meetings with the public officials at the premises of the key partner organisation (or arranged by the coordinating institution) – thematic panels, which should be attended by all relevant officials	Monitoring team, Coordinating institution and other state institutions	
4.4.	Civil society panel	Monitoring team and NGOs	
4.5.	Foreign missions panel	Monitoring team and foreign missions	
4.6.	A wrap up meeting among the experts to agree on the ratings	Monitoring group	
4.7.	A wrap up meeting with the key public officials	Coordinating institution, other key officials, monitoring group	
5.	Drafting the report		2 months before the meeting
5.1.	Experts prepare second draft monitoring report	Team leader and experts	
5.2.	Translation	Secretariat	

5.3.	Secretariat sends the draft report to the country for comments	Secretariat	
5.4.	Country submits comments to the draft report	Coordinating institution	1 month before the meeting
5.5.	Experts prepare third draft report on the basis of the comments from the country	Team leader and experts	
5.6.	Translation	Secretariat	
5.7.	Secretariat sends the draft report to the monitored country and to the IAP members	Secretariat	2 weeks before the meeting
6.	Plenary meeting (2,5 days)		
6.1.	Bi-lateral consultations	Delegation of the monitored country and the monitoring team	
6.2.	First reading	Plenary meeting of the Istanbul Action Plan	
6.3.	Bi-lateral consultations	Delegation of the monitored country and the monitoring team	
6.4.	Second reading	Plenary meeting of the Istanbul Action Plan	
6.5.	Adoption of the report	Plenary meeting of the Istanbul Action Plan	
6.6.	Press release – comments by the country	Secretariat and Coordinating institution	
7.	Publishing the report		
7.1.	Country provides editing comments on the final report to the Secretariat	Coordinating institution	2 weeks after the meeting
7.2.	Secretariat finalises the editing	Secretariat	
7.3.	Publishing on the OECD/ACN web site	Secretariat	1 month after the meeting
7.4.	Publishing paper copies	Secretariat and Coordinating institution	
7.5.	Secretariat sends a copy to Prime Minister/President of the monitored country	Secretariat	1 month after the meeting
7.6.	Secretariat sends paper copies to the Coordinating Institution	Secretariat	1 month after the meeting

7.7.	Additional follow-up actions by the country and by the Secretariat	Coordinating institution and Secretariat
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Schedule of on-site visits and plenary meetings

Table 2. Schedule of country monitoring

	ACN review and first monitoring	Proposed schedule for on-site visit	Proposed schedule for plenary meetings
First group			
Azerbaijan	June 2004/June 2006	December 2008-May 2009	September 2009
Georgia	Jan 2004/June 2006	December 2008-May 2009	September 2009
Second group			
Armenia	June 2004//Dec 2006	June 2009 – November 2009	January 2010
Ukraine	Jan 2004/Dec 2006	June 2009 – November 2009	January 2010
Tajikistan	Jan 2004/June 2006	June 2009 – November 2009	January 2010
Third group			
Kazakhstan	Oct 2005/Sept 2007	December 2009 – May 2010	September 2010
Kyrgyzstan	Dec 2004/Sept 2007	December 2009 – May 2010	September 2010
Russia	Russia will be reviewed in the framework of OECD accession, but will be invited to participate in the meetings, to present the results of its review by the OECD Working Group on Bribery		

Budget

49. As other outreach work of the OECD Anti-Corruption Division, this project will be funded mostly through voluntary contributions, with limited core funding by the OECD. Therefore, all the proposed activities will be implemented only if financing becomes available.

50. The Secretariat will continue fundraising with the OECD member states. At the same time, the Istanbul Action Plan countries are invited to provide co-financing in order to ensure full funding of the programmes.

51. The Istanbul Action Plan countries have already provided co-financing in the past, and in the second round they will be invited to increase their contribution as a confirmation of the priority they attach to this work. They are invited to pay for the travel of their delegations to plenary meetings in Paris, to pay for the hotels for the monitoring teams during on-site missions and for translation of legal documents into English (when possible), as well as other expenses. The countries can finance these expenditures from their proper budgets, or to organise joint fundraising with the Secretariat.

52. As in the past, international organisations and OECD Member States will be invited to support the implementation of the Istanbul Action Plan through co-financing or other means, e.g. delegation of experts, hosting of events, and other activities.

53. As in the past, the OECD will aim to continue financing of the ACN Secretariat and providing other in-kind support to the implementation of the Istanbul Action Plan (use of meeting premises, translation and interpretation, other limited operational funding).

Table 3. Budget estimate

Activity	Expenditure items	Needed (EURO)	Available (EURO)
Adoption of the methodology	ACN Steering Group meeting		Back-to-back with 7 th ACN General Meeting
Training seminar for monitoring experts (1)	travel	30,000	
	per diem		
On-site missions (7)	travel	105,000	
	per diem		
	interpretation		
	expert fees		
	15,000 per mission		
Plenary meetings (3)	Travel	105,000	
	Per diem		
	35,000 per meeting		
Back-to-back thematic seminars (3)	Expert fees	15,000	
	5,000 per meeting		
Publication of reports (7country reports +summary regional report)	Printing	5,000	
	Mailing		
Management and secretarial support	Team Leaders	In-kind donor	
	ACN Manager	In-kind OECD	In kind OECD
	ACN Assistant	In-kind OECD	In kind OECD
	Translation and interpretation	In-kind OECD	In kind OECD
<i>Total</i>		<i>Min 260,000</i>	<i>60,000 (Norway)</i>

ANNEX 1: MONITORING QUESTIONNAIRE

Explanatory Note

1. This questionnaire is the main source of information for the assessment of countries progress in implementing the recommendations adopted under the Istanbul Action Plan. It is the means by which the authorities in the monitored country can provide all input for the second round of monitoring process prior to the on-site visit.
2. In their response to the questionnaire, examined countries should answer all questions and provide a *concise and complete description* of the applicable measures for particular topic areas. Examined countries are also required to supply copies or quotes from *legal acts and other official decisions*, which were referred to in the answers, and which substantiate the answers and explanations. The countries are also required to supply *statistical data for the past 3 years* in the areas clearly specified in the questionnaire.
3. Information provided in the answers to the monitoring questionnaire should cover the time period since the adoption of the first monitoring report for each country. If no new action was implemented in a particular topic area since the first round of monitoring, the authorities of the monitored country can refer to the available information provided in the review and monitoring reports and in country's updates (with a specific reference to the document). If new developments take place between the date of submission of the answers to the questionnaire and the on-site visit, the examined country will be invited to report about them during the on-site visit.
4. Answers to the questionnaire should describe (i) the *measures that have been implemented* and the results obtained, and (ii) *the measures which are not yet in place*, but which the country has firm plans to implement. The response should clearly distinguish between measures in place and those that are planned.
5. If there is no substantive answer to any of the specific questions of the questionnaire, the examined country should provide an explanation as to whether absence of information is due to lack of action on a particular issue, or whether there are other legitimate reasons (e.g. authorities consider this issue irrelevant, or it is addressed through other measure or approaches).
6. Answers to the questionnaire should be provided in *electronic form suitable for editing*, e.g. as a Word Document attachment to an e-mail message; countries may also wish to send in addition a hard copy by postal service. Countries are invited to provide all relevant legislation and other related

documents, which demonstrate answers to the monitoring questionnaire, in annexes, in Word Document. Answers and documents can be submitted *in English or in Russian (or both)*; however countries are invited to provide any available documents in English translation, when possible.

7. It is important to note that the questionnaire contains a large number of specific and concrete questions. The same questions – especially where the answers are not complete, clear, or indicated at areas of concern - will be raised by the experts during the on-site visit during the thematic panels with the officials. The experts can raise additional questions for clarification and request additional information between the receipt of the answers to this questionnaire and the on-site visit.

Cover page

OECD/ACN Istanbul Anti-Corruption Action Plan

Second Round of Monitoring

Answers to the Questionnaire

Name of the Country

Name of the Coordinating Institution

Contact details of the responsible
person in the Coordinating Institution

Date of submission of answers to the
Questionnaire

Period covered by this report

Date of country review and adoption of country recommendations under
the Istanbul Action Plan;

Date of the first round of monitoring and adoption of compliance ratings:

Date of expected on-site mission:

Introduction

General context for the prevention and fight against corruption.

Pillar 1: Anti-Corruption Policy

1. Anti-Corruption Policy, Public Participation and Education, Institutions for Anti-Corruption Policy Co-ordination	In addition to answers, please provide copies of all documents (or relevant excerpts from them) mentioned in your answers.
1.1. Expressed political will to fight corruption	
1.1.1. Is fight against corruption mentioned in annual addresses of the President or Prime Minister?	
1.1.2. Have political parties and political coalitions expressed their will to fight corruption, e.g. anti-corruption provisions in party/election programmes and coalition agreements?	
1.1.3. How are the anti-corruption issues reflected in the recent governmental programme?	
1.2. Anti-corruption policy documents	
1.2.1. Is there a national anti-corruption policy document? If yes, please specify if it is: <ul style="list-style-type: none"> a) stand-alone programme or strategy; b) umbrella document with separate programmes for sectors or ministries; c) section in another policy document, e.g. national development or investment programme. 	
1.2.2. Does the policy document have the following elements/chapters: <ul style="list-style-type: none"> a) background chapters on levels and trends of corruption, and assessment of previous anti-corruption efforts, e.g. level of implementation of previous strategy; b) objectives and priority areas; c) substantive chapters on prevention, criminalisation/law-enforcement, public participation/education; d) monitoring and assessment mechanism and criteria? 	

<p>1.2.3.If the anti-corruption action plan exists, does it contain the following elements:</p> <ul style="list-style-type: none"> a) specific measures for each objective; what is the proportion between the number of measures for prevention, criminalisation/law-enforcement and public participation/education; b) specific institutions responsible for the implementation of each measure; c) time-frame for implementation; d) criteria for assessing implementation; e) budget specially allocated for the implementation of the action plan; f) institution responsible for co-ordination, implementation and reporting on the action plan? 	
<p>1.2.4.Were the anti-corruption strategy and action plan publicised, including:</p> <ul style="list-style-type: none"> a) drafts for discussion; b) final documents; c) reports assessing their implementation. 	
<p>1.3. Corruption surveys</p>	
<p>1.3.1. Are there national/regional/local corruption related surveys, risk assessments and other studies? Please list the main ones, and specify who commissioned them, e.g. government, NGOs, donors.</p>	
<p>1.3.2. Are there any sector/agency specific corruption related surveys? Are there surveys reflecting public trust to anti-corruption bodies?</p>	
<p>1.3.3. Are there any corruption related surveys which are conducted regularly in order to demonstrate changes over time?</p>	
<p>1.3.4. Please list those anti-corruption studies which were used for the development or monitoring of anti-corruption policy.</p>	
<p>1.3.5. What is the budget allocation for anti-corruption research? Is there an agreement with any donor to fund research?</p>	

1.3.6. Is there a dedicated public agency(ies) or official(s) responsible for anti-corruption research?	
1.3.7. How were the above anti-corruption studies published and disseminated?	
1.4. Public participation	
1.4.1. Is civil society (NGOs, the private sector, trade unions and citizens) involved in development of the strategy and action plan, e.g.: a) drafts published for comments; b) consultation meetings with NGOs; c) standing groups, e.g. expert commissions; d) analysis of 'hot line' reports and complaints; e) taking into account NGO reports? Please provide list of civil society organisations and other actors involved.	
1.4.2. Is civil society involved in the monitoring of the implementation of the current strategy? Please describe shortly the process and results, please provide list of civil society organisations involved.	
1.4.3. Was civil society involved in the sector specific anti-corruption programmes, action plans and activities? Please describe shortly the process and results, please provide list of civil society organisations and other actors involved.	
1.4.4. Are there dedicated official(s) or division(s) responsible for the coordinating of public participation in anti-corruption efforts in any public institution?	
1.4.5. Is there any procedure for selecting/rotating representatives of civil society for any anti-corruption activities?	
1.5. Raising awareness and public education	
1.5.1. Are there any continuous awareness raising and training anti-corruption programmes for: a) general public;	

<ul style="list-style-type: none"> b) public officials; c) school pupils and university students; d) NGOs; e) Media; f) business associations, private companies, including large and SMEs; g) other groups? 	
1.5.2. Have any printed promotional anti-corruption materials been produced (posters, leaflets, sticker, pins, etc.)? If yes, by which agency, how many/how often/for which target audience/how were they used.	
1.5.3. Describe/list mass media anti-corruption appearances and campaigns organised by the government (ad-hoc/regular interviews, press conferences, continuous advertising campaigns on radio/TV/newspapers, for which target audience, etc.).	
1.5.4. List seminars/conferences for target groups; who organised them, for which target groups.	
1.5.5. List educational programmes for target groups (e.g. regular educational events; educational materials, manuals, reference materials, guidelines, brochures).	
1.5.6. Describe/list actions implemented by governments or commissioned by government and implemented by NGOs.	
1.5.7. What is the total budget allocation for raising awareness and public education?	
1.5.8. How effective were the described measures in raising awareness and educating the public about corruption? Please provide results of any assessment of the effectiveness of these measures.	
1.6. Specialised anti-corruption policy and co-ordination institutions	

<p>1.6.1. Which body/bodies are responsible for the following functions:</p> <ul style="list-style-type: none"> a) policy development; b) co-ordination of policy development and implementation measures with other state bodies; c) co-ordination with civil society and with international partners; d) assessing implementation of anti-corruption strategy and action plan; e) expert and analytical support:, e.g. surveys/research/statistical data collection and analysis; f) development of legislative and regulatory proposals related to the fight against corruption? <p>Are any of the above bodies also responsible for any other corruption prevention measures, and anti-corruption education?</p>	
<p>1.6.2. Concerning specialisation, independence and resources, please describe:</p> <ul style="list-style-type: none"> a) legal basis, institutional placement, and powers of the body (right to access information, to issue instructions to other bodies, to provide opinions); b) recruitment and dismissal of the head of the body; c) structure of the body, number of staff (including proportion of anti-corruption experts and administrative staff), and profile of staff (education, average years of experience); d) anti-corruption training provided to the staff , e.g. how many sessions and participants, issues on the programme; e) total budget of the body, split of the budget between main activity areas, procedure for budget approval; f) donor support to the body, what are the main donors programmes; g) reporting and accountability, e.g. is 	

<p>there a mandatory preparation and public disclosure of reports, parliamentary, civil oversight.</p>	
<p>1.7. Participation in international anti-corruption conventions</p>	
<p>1.7.1. What is the status of your country's participation in the UNCAC, Council of Europe Criminal Law and Civil Law Conventions against Corruption, and other relevant international instruments? Please specify the dates of signature/ratification/entry into force.</p>	

Pillar 2: Criminalisation of corruption

<p>2. Criminalisation of corruption, law enforcement anti-corruption institutions</p>	<p>In addition to answers, please provide copies of all relevant criminal and other statutory provisions, as well as case law for interpretations of statutory provisions.</p>
<p>2.1. Offences</p>	
<p>2.1.1. How is active bribery (i.e. the act of the briber) of national public officials covered in your criminal law?</p>	
<p>2.1.2. How is passive bribery (i.e. the act of the person bribed) of national public officials covered in your criminal law?</p>	
<p>2.1.3. How is active and passive bribery of a foreign public official covered in your criminal law?</p>	
<p>2.1.4. Does your criminal legislation contain an offence of trading in influence? If so, would the offence cover the bribery of a public official to influence the discretion of another public official? If not, does your legislation provide for criminal liability for influencing the discretion of a public official under other criminal offence?</p>	
<p>2.1.5. Are embezzlement, misappropriation or other diversion of property by a public official covered in your criminal law? Do the same actions in private sector constitute a criminal offence?</p>	
<p>2.1.6. Does your criminal legislation contain an offence of abuse/excess of functions? Do the same actions in private sector constitute a criminal offence?</p>	
<p>2.1.7. Does your criminal legislation contain an offence of illicit enrichment? If so, does the burden of proof shift to the public official to prove that the funds in question were obtained legally?</p>	
<p>2.1.8. Does your criminal legislation contain an offence corresponding to active and passive bribery also in the private sector?</p>	

<p>2.1.9. Is money laundering defined as a crime in your criminal law? Does the list of predicate offences include corruption offences? If so, does it refer to specific corruption offences?</p>	
<p>2.1.10. Is false accounting for the purpose of corruption and/or for hiding such corruption prohibited by criminal or administrative law?</p>	
<p>2.1.11. Can legal persons be held liable for any of the corruption offences? If yes, please explain whether the nature of responsibility of legal persons is:</p> <ul style="list-style-type: none"> a) criminal, b) administrative, or c) civil. 	
<p>2.1.12. Provide for a brief description of the grounds for responsibility of legal persons for corruption offences, e.g.:</p> <ul style="list-style-type: none"> a) is the liability triggered by the act of a specific person, such as a director, senior manager, ordinary employee or agent? b) what kind of acts or omissions trigger such liability, e.g. must the director have committed the offence himself/herself, or is an offence also committed if the director directs a lower level person to bribe, or fails to adequately supervise a lower level employee? c) must the perpetrator be identified, charged or convicted for the legal person to be liable? 	
<p>2.1.13. Is there a formally determined list of corruption offences? Are all the crimes described above considered as corruption offences? Are there any other crimes that are considered corruption offences?</p>	
<p>2.1.14. Apart from the Criminal Code, are</p>	

<p>there any corruption related offences established by the anti-corruption law (if existent) or by the Administrative Offences Code?</p>	
<p>2.2. Elements of offence</p>	
<p>2.2.1. Does the completed offence of active bribery include offering and promising of a bribe (i.e. in addition to giving)? If this is not the case, describe how these elements of active bribery are criminalised (e.g. as punishable preparatory acts or as an attempted bribery).</p>	
<p>2.2.2. Does offering, promising or giving a bribe constitute a crime of active bribery when the public official was not aware of the bribe or was aware but did not accept the bribe?</p>	
<p>2.2.3. Is the offence of active bribery committed if the public official solicited the bribe? If so, is the penalty for the bribe giver mitigated in such a case?</p>	
<p>2.2.4. Is it a defence or exception to the offence of active bribery where the briber reports the act of bribery to the law enforcement authorities (effective regret)? If so, please explain when the report must be made in order for the defence or exception to apply.</p>	
<p>2.2.5. For the offence of passive bribery, must the person bribed receive the advantage or is it sufficient if he or she accepts an offer or promise? Must the passive briber solicit the bribe, or is it an offence to accept an offer, promise or to take the bribe without solicitation? Is accepting an offer or promise considered an attempt?</p>	
<p>2.2.6. Does the definition of a bribe in your legislation include non-pecuniary and intangible benefits? If not, is receiving or giving of non-pecuniary and intangible</p>	

benefits to influence public official covered by other offence?	
2.2.7. Do your bribery offences apply when the purpose of the bribe is to obtain a legal act (e.g. breach of duties regarding use of the official's discretion) as well as an illegal act? Does illegality constitute an aggravating circumstance?	
2.2.8. Do your bribery offences cover the case where an offer, promise or giving is made through an intermediary? Are both the original briber and the intermediary liable in such a case? Compared to the liability of the original briber is liability of the intermediary more lenient?	
2.2.9. Do bribery offences cover the case where the advantage is provided to a third party beneficiary? If so, are the legal requirements met if the advantage is transferred directly to a third party, e.g. a political party, with the agreement of the public official?	
2.3. Definition of a public official	
2.3.1. Do your corruption offences cover categories of national public officials performing the following functions: a) legislative; b) executive; c) administrative; d) judicial (including jurors and arbitrators) and prosecutorial; e) public (state) function in a public agency/enterprise; f) providing or performing a public service, or any activity in public interest; g) in public international organisation; h) officials and employees of political parties; i) candidates for political office?	
2.3.2. With respect to the same issue, does	

<p>your legislation cover the following types of authorities and mode of activity:</p> <ul style="list-style-type: none"> a) national/central; b) regional/provincial; c) local/municipal/self governments; d) elected; e) appointed; f) full-time; g) part-time? 	
<p>2.3.3.Does the definition of a foreign public official in your legislation cover public officials of foreign countries, officials of international or supranational organisations, members of international parliamentary assemblies, officials and judges of international courts, including those of which your state is not a member?</p>	
<p>2.3.4.Is there any difference (apart from the fact that foreign public official refers to official of a foreign state) between the definition of foreign public official and definition of national public official? If yes, please describe.</p>	
<p>2.3.5.Does your offence of bribing a foreign public official contain a complete, autonomous definition of a foreign public official, which does not require reference to the definition of a public official in the country of the foreign public official?</p>	
<p>2.4. Sanctions</p>	
<p>2.4.1.Provide a complete list of applicable sanctions for corruption offences in your legislation, e.g. fines, imprisonment, confiscation of the bribe and/or the proceeds of bribery, etc.</p>	
<p>2.4.2.Apart from criminal penalties are there other sanctions that can be imposed upon conviction for corruption offences according to your legislation, e.g. temporary debarment from participating</p>	

in public procurement contracting or other public advantages such as official export credit support?	
2.4.3. Provide a complete list of sanctions which can be imposed for corruption offences to legal persons.	
2.5. Confiscation	
2.5.1. Does your legal system provide for mandatory confiscation of the bribe (the object) upon conviction?	
2.5.2. Does your legal system enable confiscation of the proceeds of bribery upon conviction (i.e. the advantage obtained from the public official)? If yes, are these provisions mandatory?	
2.5.3. Does your legal system allow for the confiscation upon conviction of proceeds that have been transformed or converted, in part or in full, into other property? If not, is it possible to confiscate other property which corresponds to that of such proceeds, or apply monetary sanctions of comparable effect?	
2.5.4. Does your legal system allow for confiscation upon conviction from third persons? If yes, describe.	
2.5.5. Does your legal system allow for confiscation through civil proceedings? If yes, describe.	
2.6. Immunities and statute of limitations	
2.6.1. Describe the scope and the nature of immunities from prosecution for corruption: a) to whom the immunities apply (e.g. judges, prosecutors, President, Prime-Minister, Members of Parliament)? b) are the immunities functional (i.e. they only apply to acts performed by an official in carrying out his or her official functions)? c) can the immunities be lifted, and if so are there written rules defining the	

<p>process and the criteria for lifting immunities? which body(ies) has the authority to lift immunities?</p> <p>d) can a person be arrested if caught in the act (<i>in flagrante delicto</i>)?</p>	
<p>2.6.2. What procedural actions are allowed before lifting of immunity (e.g. use of investigative techniques, such as interviewing witnesses, search and seizure of bank and financial records)? Is institution of the criminal case a condition for use of such investigative techniques?</p>	
<p>2.6.3. Does your legal system provide a statute of limitations period for corruption offences? If so, under what circumstances may they be interrupted, suspended or terminated? How long are the limitation periods for specific corruption offences? Is immunity a reason for interruption or suspension of limitations period?</p>	
<p>2.7. International co-operation and mutual legal assistance</p>	
<p>2.7.1. What is the legal basis in your country for providing and requesting mutual legal assistance for corruption offences (i.e., through treaty based co-operation and non-treaty based co-operation)?</p>	
<p>2.7.2. Provide a list of the countries with which you have mutual legal assistance treaties that would cover corruption offences.</p>	
<p>2.7.3. Provide a list of international conventions to which your country is party and which allows extradition of persons for alleged corruption offences or MLA in criminal matters</p>	
<p>2.7.4. List the corruption offences which carry sentences necessary to meet the threshold required for extradition.</p>	
<p>2.7.5. Describe legal limitations and preconditions to providing mutual legal</p>	

assistance, such as reciprocity and dual criminality, open criminal investigation in the requesting country.	
2.7.6.Explain whether your country has the legal basis for providing mutual legal assistance for cases involving legal persons and whether in practice this has been done.	
2.7.7.Does the legal system of your country allow tracking, seizing, arresting and confiscating property based on the request for legal assistance from a foreign law enforcement agency?	
2.7.8.Describe any challenges that you have faced in obtaining and providing mutual legal assistance for corruption cases.	
2.7.9.What is the name and contacts of the national agency responsible for the rendering of international legal assistance in criminal cases related to corruption?	
2.8. Application, interpretation and procedure	
2.8.1.Does a verbal offer of a bribe, without the briber taking any further steps towards the completion of this act, constitute a criminal offence according to your jurisprudence (including attempt)?	
2.8.2.Does conviction for a bribery offence require proof that the bribe influenced the public official? For instance, is an offence committed if the briber in a public procurement tender was the best qualified bidder or was otherwise a company which could properly have been awarded the business?	
2.8.3.Does proof of intention (or other mental elements of offence) to commit a corruption offence require direct evidence or is it possible for the intent to be inferred from objective factual	

circumstances?	
2.8.4. Which special investigative techniques are available for investigation of corruption crimes in your legal system: a) undercover operations; b) controlled delivery; c) electronic surveillance; d) others (describe)?	
2.8.5. Do law enforcement bodies have access to bank, financial or commercial records in the early stages of investigation? What is the procedure, burden of proof and timeframe for lifting the confidentiality of bank records?	
2.8.6. Is there prosecutorial discretion to open/close criminal cases? If so, please describe: a) factors which your investigators and prosecutors may consider when deciding whether to investigate or prosecute a corruption case and whether to terminate such a case; b) if a person or body other than the investigative or prosecutorial authority is required or entitled to authorise or terminate corruption cases, and, if so, whether this decision can be appealed;	
2.8.7. Is it possible to open a criminal case concerning corruption offence based on media report?	
2.9. Specialised anti-corruption law-enforcement bodies	
2.9.1. Is there a separate anti-corruption law enforcement agency (outside existing law-enforcement bodies)?	
2.9.2. Are there bodies (units) responsible for detection, investigation and prosecution of corruption-related offences inside existing law-enforcement bodies: a) Ministry of Interior/Police; b) Prosecution Office; c) Security Service; d) other law-enforcement bodies?	
2.9.3. Please describe the responsibilities of	

<p>the above bodies, including:</p> <ul style="list-style-type: none"> a) receiving allegations of corruption; b) investigating corruption cases; and c) prosecuting corruption cases; d) compiling statistics on corruption; e) other functions, e.g. raising awareness and providing training on corruption, developing anti-corruption policy, proposing or drafting anti-corruption legislation and regulations. 	
<p>2.9.4. How is the competence of different law enforcement bodies delineated in the area of detection, investigation and prosecution of corruption-related offences?</p>	
<p>2.9.5. How is specialisation in combating corruption ensured in the above bodies:</p> <ul style="list-style-type: none"> a) through a specialised anti-corruption body/unit, or b) persons specialised in corruption cases, including specialised investigators and prosecutors? 	
<p>2.9.6. How is independence of these bodies ensured:</p> <ul style="list-style-type: none"> a) what is their institutional placement? b) what is their legal basis, e.g. a law, governmental decision, decree of the head of the institution? c) who can decide on structure, staff and activities of the bodies? d) is there a special procedure for selection, appointment and dismissal of the head, and fixed term in office? e) is there a special procedure for selection, appointment and dismissal of the personnel? f) who has the right to start, close, transfer investigations/prosecutions, send the case to court? g) Is there a budgetary autonomy? h) are there any other special measures to prevent undue political interference in the activities of the bodies? 	

<p>2.9.7. How is accountability ensured:</p> <ul style="list-style-type: none"> a) list all mandatory performance reports, their frequency, scope, and bodies/persons, to whom there are submitted; b) which of these reports shall be made public? c) are there any special mechanisms for parliamentary oversight? d) are there any special mechanisms for civil society oversight? 	
<p>2.9.8. Do these bodies have sufficient resources:</p> <ul style="list-style-type: none"> a) number of operative and administrative staff, including detectives, investigators and prosecutors and other persons who specialise in corruption crimes detection, investigation and prosecution; b) education, years of experience of anti-corruption detectives, investigators and prosecutors; c) number of in-house non-legal experts in economic and financial investigations, other experts, e.g. forensic accounting, IT, etc.; d) possibility to engage specialists, budget and procedure for that; e) annual budget ; f) what in-service training is available for the staff, number of trainings and engaged staff per year, topics of these trainings. 	
<p>2.9.9. What powers do the above bodies have:</p> <ul style="list-style-type: none"> a) right to use special investigative measures, conduct operative and detective activity; b) access to financial information; c) protection of witnesses and collaborators of justice; d) co-operation with reporting persons; e) other. 	

<p>2.9.10. How is inter-agency co-operation and exchange of information ensured:</p> <p>a) is the body required to pass on allegations to another investigative/prosecutorial body if they fall out of its competence?</p> <p>b) if the body has the authority to investigate and/or prosecute allegations, is it required to inform another body or authority that it will be doing so (e.g. prosecutor general's office)?</p> <p>c) if the body has overlapping investigative/prosecutorial authority with another body, how is it ensured that both bodies do not exercise jurisdiction simultaneously?</p> <p>d) what mechanisms are in place for inter-agency co-operation and exchange of information with other investigative/prosecutorial bodies as well as other relevant agencies, such as the tax and anti-money laundering authorities?</p> <p>e) is there a possibility and practice to establish joint investigative and operation teams with officers from other law enforcement agencies?</p>			
<p>2.9.11. Are there internal investigative units in the following bodies, and what are their main tasks and powers:</p> <p>a) police;</p> <p>b) prosecutor's office;</p> <p>c) judiciary;</p> <p>d) anti-corruption law-enforcement body;</p> <p>e) tax;</p> <p>f) Customs;</p> <p>g) public procurement bodies;</p> <p>h) privatization bodies;</p> <p>i) other.</p>			
<p>2.10. Statistical data on enforcement of criminal legislation on corruption</p>	<p>2006</p>	<p>2007</p>	<p>2008</p>
<p>2.10.1. If possible, please break down the</p>			

<p>statistical information according to the type of corruption offence, including active and passive bribery; trading in influence; embezzlement, misappropriation and other diversion of property; abuse/excess of functions; illicit enrichment; false accounting, other offences, which are considered to be corruption offences in your legislation.</p>			
<p>2.10.2. Number of communications (written or oral) about the corruption offences received by:</p> <ul style="list-style-type: none"> a) specialised anticorruption agency; b) other law-enforcement bodies; c) if available, by executive governmental institutions (ministries). 			
<p>2.10.3. Number of the communications related to corruption offences received from</p> <ul style="list-style-type: none"> a) Individuals; b) legal persons; c) civil society; d) internal investigations; e) reports in the media; f) other sources. 			
<p>2.10.4. If available, please provide percentage of communications related to particular sector, such as education, health, police, procurement, parliament, mining and extraction industries, etc.</p>			
<p>2.10.5. Number of criminal investigations related to corruption started:</p> <ul style="list-style-type: none"> a) by separate specialised anti-corruption agency; b) by other law-enforcement bodies. 			
<p>2.10.6. Number of corruption investigations that were terminated due to insufficient evidence or other reasons</p>			
<p>2.10.7. Number of cases that were investigated and submitted to courts</p>			
<p>2.10.8. Number of corruption prosecutions</p>			

that resulted in convictions			
2.10.9. If available, please provide percentage of convicted persons related to particular area, such as education, health, tax, customs, etc.			
2.10.10. Number of corruption prosecutions that resulted in acquittals, number of the people acquitted			
2.10.11. Out of all court sentences in corruption cases, what are the percentage of sentences resulted in: a) Imprisonment; b) provisional punishment; c) fines; d) other types of punishment?			
2.10.12. Value (in US dollars or EUROS) of the property that was subject to the intermediary measures, such as freezing, arresting, etc.			
2.10.13. Value (in US dollars or EUROS) of the property confiscated as a result of court decision			
2.10.14. If available, please provide the number of outgoing requests for legal assistance by the law enforcement agencies of your country to the law enforcement agencies of foreign countries in connection with corruption offences.			
2.10.15. Number of outgoing requests for legal assistance for tracking, seizing, freezing and confiscation of the property abroad was requested			
2.10.16. Value of the property recovered as a result of the request for legal assistance to foreign countries			
2.10.17. Number of the incoming requests for legal assistance from the foreign law enforcement agencies in connection with corruption offences			
2.10.18. Number of incoming requests for			

legal assistance for tracking, seizing, freezing and confiscation of the property in your country			
2.10.19. Value of the property (in US dollars or in EUROS) recovered as a result of the incoming request for legal assistance			
2.10.20. Number of the requested and granted extraditions from and to your country in connection with corruption offences			
2.10.21. Statistical data on the following issues (if applicable to your legal system): a) number of corruption cases that were abandoned because of the expiry of limitation period; b) number of cases where effective regret was successfully invoked; c) number of corruption (court) cases against officials who enjoy immunity from prosecution – where immunity was lifted, and where it was not lifted.			
2.10.22. Number of persons prosecuted and convicted for active bribery: a) in public sector, including high level officials, e.g. member of government, parliament, senior officials; b) in private sector; c) foreign public official and official of international organisation.			
2.10.23. Number of persons prosecuted and convicted for passive bribery: a) in public sector, including high level officials, e.g. member of government, parliament, senior officials; b) in private sector; c) foreign public official and official of international organisation.			

Pillar 3: Prevention of Corruption

3. Prevention of Corruption	In addition to answers, please provide copies of all documents (or relevant excerpts from them) mentioned in your answers.
3.1. Corruption prevention body	
3.1.1. Is there a stand-alone corruption prevention institution(s)? If yes, please describe its functions and powers, as well as: <ul style="list-style-type: none"> a) procedure of recruitment and dismissal of the head of the body; b) structure of the body, number of staff, including substantive and support staff, profile of staff, including education and years of experience; c) specialised corruption prevention training provided to the staff, e.g. how many sessions per year, how many participants, issues on the programme, copy of the programme; d) total budget of the body, procedure for budget approval; e) donor support to the body, what are the main donors programmes; f) reporting and accountability, e.g. mandatory reporting, public disclosure, parliamentary and civil oversight. 	
3.2. Integrity of public service	
3.2.1. Does the law on public service, or another legal act: <ul style="list-style-type: none"> a) establish a clear delineation of political and professional servants; b) specify sectors not covered by the law (e.g. covers only professional civil service)? 	
3.2.2. Recruitment and promotion <ul style="list-style-type: none"> a) does the law on public service, or another legal act, establish general criteria for entry into public service, including equal right of all citizens to apply? b) does the law establish the principle of merit based and competitive recruitment? c) is there a central public service body 	

<p>responsible for establishing and overseeing rules on recruitment in public institutions?</p> <p>d) do the recruitment procedures in public agencies include publication of information on all vacancies and selection criteria?</p> <p>e) is there a requirement and for what institutions to establish recruitment commissions?</p> <p>f) can the head of the agency reject the best candidate selected by the commission or select another candidate without explanation?</p> <p>g) is there a mechanism to appeal against the recruitment decision?</p> <p>h) which of the above provisions do not apply to promotion?</p> <p>i) describe any other important provisions for recruitment and promotion procedures.</p>	
<p>3.2.3. Remuneration system</p> <p>a) does the law on public service, or another legal act, establish the remuneration scheme for various categories of public servants? If no, how are these schemes established?</p> <p>b) what are the shares of the basic (fixed) salary and of the variable part (e.g. premium, allowances for duration of service, intensive work, etc.) in the remuneration of public servants in various public institutions? On what criteria variable part of the salary is granted?</p>	
<p>3.2.4. Legality and impartiality</p> <p>a) does the law on public service or another legal act establish (i) principles of legality and impartiality of public service, (ii) definition of conflict of interest and rules on incompatibility, (iii) regulations on the proper conduct of public servants?</p> <p>b) which body is responsible for considering and solving conflict of interests cases? What is the procedure?</p> <p>c) is there a system of asset declarations for</p>	

<p>public officials? If yes, please describe: (i) which categories of officials are covered; (ii) what is the content of the declarations; (iii) which body collects declarations; (iv) which body verifies declarations, and how; (v) which body publishes/discloses them, and how; (vi) what is the regularity of submissions; and (vii) what are the sanctions for failure to submit or for submission of false information.</p> <p>d) is there a general Code of Ethics or another set of standards of proper conduct for all public servants, and for individual agencies, e.g. with high risk of corruption?</p> <p>e) are there any training activities to promote Codes of Ethics/standards? If yes, please describe, e.g. provide copies of practical guides and number of public servants involved in training.</p> <p>f) is there any training on corruption prevention for public officials? If yes, please describe, e.g. provide copies of training programmes and materials, frequency of the trainings, number and profile of officials involved.</p>	
<p>3.2.5. Are there any regulations on accepting gifts by public officials, e.g. prohibition to accept gifts with the exception of protocol souvenirs, or above certain value threshold?</p>	
<p>3.2.6. Are there any restrictions on post-office employment for public servants, e.g. temporary ban to be employed by firms which were supervised by the official when in office?</p>	
<p>3.2.7. Is there an obligation for public officials to report corruption-related offence? If yes, please describe the nature of the obligation and sanctions for failure to report; please provide statistics on number of reports.</p>	
<p>3.2.8. Is there a legal protection for public servants who report suspicions of corruption to senior management or to law-enforcement bodies,</p>	

e.g. against dismissal, and other labour-related mistreatment?	
3.3. Promoting transparency and reducing discretion in public administration	
3.3.1. Anti-corruption screening of legal acts a) is there a mandatory/ad-hoc anti-corruption screening of draft or active legal acts? b) is there a methodology for such screening? c) which body is responsible for the anti-corruption screening; how many screenings it carried out per year? d) what are the consequences if the screening reveals provisions fostering corruption in draft or active legal act?	
3.3.2. Are there anti-corruption action plans or measures to review and simplify regulations in sectors prone to corruption, e.g. tax, customs, health, education, construction, licensing, passport services, police, etc.?	
3.3.3. Is there a general Code of Administrative Procedures, or such procedures are regulated by individual public institutions?	
3.3.4. If the Code of Administrative Procedure exists, does it establish principles of impartiality, equality, fair treatment, transparency, and reasonable time?	
3.3.5. What is the procedure for review of administrative decisions, e.g. does the citizen have to complain to the higher ranking administration first, or he/she can appeal directly to the court? What courts consider complaints against administrative acts (decisions)?	
3.3.6. Can a legal act of the Government or other executive authority be overturned in court? Who can request nullification of a legal act and on what grounds?	
3.4. Public financial control and audit	
3.4.1. External audit a) what is the legal basis for the supreme audit institution (SAI)? Is it compliant with the	

<p>LIMA declaration of the INTOSAI?</p> <p>b) is its independence (functional, operational and administratively) ensured, e.g. constitutional provisions, recruitment and dismissing of head and of staff, job security, budget independence?</p> <p>c) what is the capacity of the SAI, e.g. number of staff, including auditors; number of staff participating in training, including anti-corruption; budget?</p> <p>d) what is the scope of audit, e.g. some/all budget revenues and expenditures, local governments?</p> <p>e) what type of audits does the SAI carry out (financial/performance/other)? Give examples of other audits.</p> <p>f) does the SAI carry out anti-fraud and/or anti-corruption audits? If yes, why and how many audits a year? If not, why?</p> <p>g) can audits be requested by other parties? If yes, what type of audits and by whom? What is the share of planned activities and audits requested by other parties?</p> <p>h) does the SAI have an audit manual? Does this audit manual contain anti-fraud and anti corruption provisions?</p> <p>i) does the SAI review the work carried out by internal audit units and /or financial control/inspection units? What is their opinion about the quality of these audit and control bodies? Can the SAI rely on their work? If not, why?</p> <p>j) to whom does the SAI report formally and informally, e.g. to parliament and governmental institutions; what is the impact of annual report on parliament's decisions?</p> <p>k) to whom did the SAI report irregularities? Is there a special procedure for reporting irregularities? Does the SAI have an agreement with law enforcement bodies? Can SAI reports by law be used as evidence</p>	
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<p>in Court? By which law (SAI law)?</p> <p>l) what is the amount of uncovered irregularities, and how many cases have been presented to law enforcement bodies during the past 3 years?</p> <p>m) does the SAI work together with internal audit and other financial control bodies? How is the co-operation organised?</p>	
<p>3.4.2. Financial Management and Control (FMC)</p> <p>a) what is the legal framework for public financial control; is FMC centralised or decentralised?</p> <p>b) is there a central body responsible for public internal financial control, responsible for co-ordination and policy development?</p> <p>c) are there any reform programmes underway aiming to improve financial management?</p> <p>d) does the FMC system contain: ex-ante control of budget execution (to assure compliance with laws and regulations before committing expenditure), ongoing controls (of right delivery of services/goods), ex-post controls (after payments check on correctness)?</p> <p>e) how are these controls organised? Are there separate units/institutions responsible for these controls? Are these units/institutions organised on a central (e.g. Treasury/ Inspection service) or lower (internal ministerial verification units) level? Explain for these controls separately. What is the number of staff of the units/institutions and what is their scope of work?</p> <p>f) are there procedures for segregation of duties for approval (decision-making), implementation, custody, accounting and control?</p>	
<p>3.4.3. Internal Audit (IA)</p> <p>a) does the internal audit function exist? What is the legal basis for IA? Is IA carried out by a centralised body or by decentralised bodies?</p>	

<p>Which body(bodies) is responsible for internal audit in spending entities? Please describe its structure, main responsibilities and outputs</p> <p>b) is the IA independence (functional, operational and administratively) ensured?</p> <p>c) what is its capacity of the IA, e.g. number of staff, including auditors; number of staff participating in training, including anti-corruption; budget?</p> <p>d) what is the scope of audit, what type of audits does the IA carry out (financial/performance/other)?</p> <p>e) does the IA carry out anti-fraud and/or anti-corruption audits? If yes, why and how many audits a year? If not, why?</p> <p>f) can audits be requested by other parties? If yes, what type of audits and by whom? What is the share of planned activities and audits requested by other parties?</p> <p>g) does the IA have an audit manual? Does this audit manual pay attention to anti-fraud and anti corruption?</p> <p>h) does the IA review the work carried out by financial control/inspection units? What is their opinion about the quality of these control bodies?</p> <p>i) to whom does the IA report formally and informally, e.g. to Council of Ministers, individual Ministers, General Secretary, Director-General. What is the impact of IA's report on Governments or Minister's decisions?</p> <p>j) to whom did the SAI report irregularities? Is there a special procedure for reporting irregularities? Does the IA have an agreement with law enforcement bodies? What is the amount of uncovered irregularities and number cases presented to law enforcement bodies during the past 3 years? Can IA reports by law be used as evidence in Court? By which law (IA law?)</p>	
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<p>k) does the IA work together with the SAI and other financial control bodies? How is the co-operation organised?</p>	
<p>3.4.4. Inspection</p> <p>a) is an Inspection service responsible for ex-post control (to detect irregularities in budget entities)? What is the legal basis for this service? Is this a centralised body, e.g. a financial inspection of Ministry of Finance or decentralised (each ministry has its own inspection service)? What is the number of staff of this body, number of trainings for staff, annual budget, is there a code of ethics and anti-corruption training for the staff?</p> <p>b) what is the scope of the inspections, e.g. some/all budget revenues and expenditures, local governments?</p> <p>c) can inspections be requested by other parties? What is the number of planned and unplanned inspections carried out by the above body? Does the inspection service a manual for inspections? What are procedures/criteria for selecting entities for inspection; to whom does the Inspection service report formally and informally, e.g. to Council of Ministers, individual Ministers, General Secretary, Director-General and; which sanctions they can apply? Please provide data on number of inspections and sanctions applied.</p> <p>d) what is the amount of uncovered irregularities in the past 3 years?</p> <p>e) does the Inspection service an agreement with law enforcement bodies? If yes, what kind of agreement? How many cases have been presented to law enforcement bodies during the past 3 years? Can Inspection reports by law be used as evidence in Court? By which law (Inspection law)?</p> <p>f) does the Inspection service work together with the SAI, the IA and other financial control bodies? How is the co-operation organised?</p>	
<p>3.5. Public procurement</p>	

<p>3.5.1. General legal framework. What areas/sectors/situations are excluded from the coverage of the public procurement legislation, e.g. military and security, emergency situations, low value procurement?</p>	
<p>3.5.2. How is procurement organised within contracting authorities:</p> <ul style="list-style-type: none"> a) do contracting authorities have internal units/persons responsible for procurement? b) is there an obligation to establish a tendering committee? Is there a procedure for establishing and activities of tendering committees? c) who makes the final decisions: the tendering committee, an authorized official, or the head of the institution? If it is an authorized official or the head of the institution, are they bound by the decision of the tendering committee? d) professionalism of procurement officers: what is the usual number of staff responsible for procurement in contracting authorities; what is their profile; what trainings were provided to procurement officers, including anti-corruption trainings? 	
<p>3.5.3. Is there a central procurement organisation for policy making, implementation support and monitoring? If yes, what are its functions (e.g. monitoring, statistics, good practice development, etc.), number of staff and budget?</p>	
<p>3.5.4. Transparency of procedures</p> <ul style="list-style-type: none"> a) are procurement opportunities, e.g. procurement plans, procurement notices, publicly advertised and available? b) to what extent are competitive procedures (tender invitations with prior publication of a notice) used? c) are contract selection and award criteria published (with details) in advance or included in the tender documents? d) are procurement award results published? 	
<p>3.5.5. Control, review and special anti-corruption measures</p>	

<ul style="list-style-type: none"> a) is there a process of external audit of procurement procedures, e.g. by a financial control and supreme audit institution? b) is there an independent complaints review mechanism, e.g. administrative appeal mechanism? If yes, please describe the structure, powers and procedures, and provide supporting documents. c) are there special measures/sanctions for corruption, e.g. blacklisting and debarment for companies with corrupt record, anti-corruption declarations for bidders, etc.? 	
<p>3.5.6. Please provide the following statistics:</p> <ul style="list-style-type: none"> a) total value and number of public procurement; b) value/number of procurement from single source/non-competitive procurement (direct or limited invitation); c) number of appeals per year, share of positive/negative decisions, number of annulled contracts; d) number of corruption related administrative or criminal cases related to public procurement initiated/prosecuted/convicted. 	
3.6. Access to information	
<p>3.6.1. Which legal acts regulate access of public to official information? Is there a specific access to information law?</p> <p>3.6.2. Is a presumption of openness of information held by public authorities stipulated in the legislation? What information is accessible and what are the limitations? Who can request access to information?</p> <p>3.6.3. Describe the procedure to access information (filing and processing of request, reasonable time, forms of access, charges, rules for refusal, etc.).</p> <p>3.6.4. Are there special information offices (officials) in public authorities?</p> <p>3.6.5. What is the review mechanism (administrative and judicial)?</p> <p>3.6.6. Is there a Freedom of Information Commission or Commissioner/Ombudsperson? If so, what are its mandate and powers? How is its independence and impartiality ensured?</p>	

<p>3.6.7. Are there registers of documents available in public authorities?</p> <p>3.6.8. Is pro-active (ex-officio) publication of information by authorities required? If yes, what types of information and how should be published?</p> <p>3.6.9. What sanctions are provided for breach of access to information legislation? Provide statistics on complaints and applied sanctions</p> <p>3.6.10. Does your criminal law provide for defamation (libel) as a criminal offence? If yes what are the possible sanctions? Are there any provisions granting special protection against defamation to public officials? Provide statistics on the number of convictions and sanctions applied.</p>	
3.7. Political corruption²	
<p>3.7.1. Is there a state financing of political parties' statutory activity and/or their election campaign expenses? If so, what are the criteria for state financing?</p> <p>3.7.2. What ceilings for donations are established? What persons are prohibited from making donations to parties?</p> <p>3.7.3. How transparency of donations is ensured (e.g. requirements for disclosure of funding sources)? Are donations registered in the books and accounts of the private legal entities? Are shareholders/members of the private legal entity informed of such donations?</p> <p>3.7.4. What body(ies) is responsible for monitoring/inspection of party finances? Does this authority have a power to supervise over accounts and expenses of parties, in particular of election campaign related</p>	

² Evaluation under Chapter 3.7 will be closely coordinated with GRECO for Armenia, Azerbaijan, Georgia and Ukraine, as this area is assessed by the 3rd round of GRECO evaluations; in order to avoid unnecessary duplications and divergence of recommendations, references will be made to available assessments of GRECO.

<p>donations and expenditures?</p> <p>3.7.5. What are the sanctions for violation of rules on financing of parties and electoral campaigns? Please provide statistics on application of these sanctions.</p> <p>3.7.6. Is there a law on conflict of interest for political public officials (members of parliament, ministers and other political nominations)? Is there a system for asset declarations for political public officials?</p> <p>3.7.7. Are there any rules regulating lobbyist activities?</p>	
3.8. Judiciary	
<p>3.8.1. What are the constitutional and legislative guarantees of judicial independence (institutional relations with the executive and legislative branches, budgetary independence, etc.)?</p> <p>3.8.2. Is the procedure for selection, appointment, promotion of judges based on merit-based and transparent criteria? Describe procedure for recruitment and promotion of judges, role of authorities taking part in the process, initial training, etc.</p> <p>3.8.3. How is tenure of judges secured by the constitution and the law? What are the grounds and procedure for dismissal of judges?</p> <p>3.8.4. Is the level of remuneration of judges established in the law? Provide information on the actual level of remuneration of judges and its comparison with the average salary in the country/average salary in the public service.</p> <p>3.8.5. Describe the procedure for appointment/dismissal of judges to/from administrative posts in a court. What is the scope of powers of the presidents of courts?</p> <p>3.8.6. Please describe the procedure for assignment of cases among judges of a court, e.g. is it based on objective (random) criteria?</p> <p>3.8.7. Are there rules of conduct for judges? How are</p>	

<p>they enforced?</p> <p>3.8.8. Describe grounds and procedure of disciplinary proceedings against judges. Provide statistics on disciplinary proceedings and sanctions against judges.</p> <p>3.8.9. Describe complaint procedure against judges. What authority conducts inspections of individual judges?</p> <p>3.8.10. What are the rules on publication of judicial decisions? Provide information on implementation of such rules.</p> <p>3.8.11. What training courses on judicial integrity and role of judges in anti-corruption efforts have been implemented during last three years?</p>	
<p>3.9. Private sector</p>	
<p>3.9.1. Are there any awareness raising programmes about risks of corruption and solutions provided for the private sector organised by the government, by private sector associations or other actors?</p>	
<p>3.9.2. Accounting rules</p> <ul style="list-style-type: none"> a) do laws and regulations prohibit: <ul style="list-style-type: none"> i. the establishment of off-the-books accounts; ii. the making of off-the-books or inadequately identified transactions; iii. the recording of non-existent expenditures; iv. the entry of liabilities with incorrect identification of their object; v. the use of false documents? b) Which companies are subject to these laws and regulations? c) What are the sanctions for accounting omissions, falsifications and fraud? d) Are companies subject to internal audit? 	

<p>3.9.3.External audit</p> <ul style="list-style-type: none"> a) which companies are subject to external audit? b) are standards set by the State or professional associations? c) what are the rules to ensure that external auditors are independent from the companies they audit? d) when an external auditor discovers indications of possible illegal acts, including corruption, is he/she required to report the indications to someone? If so, to whom? 	
<p>3.9.4.Corporate ethics</p> <ul style="list-style-type: none"> a) have companies adopted standards of conduct? If so, do they prohibit corruption? b) do governmental institutions encourage the development and adoption of standards of conduct? 	
<p>3.9.5.Internal company control</p> <ul style="list-style-type: none"> a) does the law provide for the creation of monitoring bodies, independent of management, such as audit committees of boards of directors or of supervisory boards? b) if not, do governmental institutions encourage companies to adopt such structures? c) do companies make statements in their annual reports about their internal control mechanisms? 	

3.9.6. Whistleblower protection

- a) do companies provide channels for communication by, and protection for, employees not willing to violate professional standards or ethics under instructions or pressure from hierarchical superiors?
- b) do companies provide channels for communication and protection for employees who have reasonable grounds to suspect corruption and who report in good faith their suspicion to responsible persons or authorities?
- c) does the law provide for appropriate protection against any unjustified sanction for employees who have reasonable grounds to suspect corruption and who report in good faith their suspicion to responsible persons or authorities?

ANNEX 2: STANDARD AGENDA OF ON-SITE VISITS

1. The duration of the on-site visit will be around 3-4 working days. The on-site mission will start with an introductory meeting with the coordinating institution and other key officials. It will further involve thematic panels with the officials, two panels for civil society and foreign missions, and will close with a wrap up session for the coordinating institution and key officials.
2. Relevant officials from public institutions responsible for issues covered by this monitoring will be invited to attend corresponding thematic sessions. The coordinating institution will provide the meeting room, where all thematic sessions will take place. This meeting room can be located at the premises of the coordinating institution, any other government building, hotel, conference centre, etc. The meeting room should be able to host about 25-30 persons, should be easily accessible for all the participants. Exceptionally, thematic sessions can be organised in another venue (e.g. meeting with the members of the Parliament, or if an alternative location provides for time efficiency); in this case the coordinating institution will provide the transport.
3. The Secretariat will contact civil society groups (NGOs, media, business and academia) and foreign community (embassies, aid programmes, MDBs, foreign business) and will organise special sessions with them. The Secretariat will request the NGOs and the foreign community representatives to host these respective meetings. Government officials will be invited to abstain from participation in these meetings in order to ensure free exchange of information with non-governmental sector. However, the coordinating institution can recommend to the Secretariat to invite specific civil society groups or foreign partners.
4. The coordinating institution will work together with the Secretariat in order to finalise the agenda, e.g. it may suggest to add/remove/merge some of the thematic sessions, to add/remove agencies to be invited. The coordinating institution will identify and invite all relevant officials to the thematic sessions, and will provide list of participants for each thematic session.

Table 4. Standard agenda of on-site visits

Date and time	Thematic panels	Invited institutions	Confirmed names and positions
Day 1			
1 hour	<p>Panel 1. Introduction</p> <ol style="list-style-type: none"> 1. Purpose of the mission, general information about the monitoring process 2. General framework for fighting corruption in the country 	<ul style="list-style-type: none"> • Coordinating institution • Other key officials (to be decided by the Coordinating institution) 	
2 hours	<p>Panel 2. Anti-Corruption Policy and Institutions</p> <ol style="list-style-type: none"> 1. Expressed political will 2. Anti-corruption policy strategy and action plan 3. Specialised anti-corruption policy institutions 4. International a-c conventions 	<ul style="list-style-type: none"> • Administration of the President • Prime Minister's Office • Parliament (committee responsible for the fight against corruption) • Specialised anti-corruption bodies (preventive) • Coordinating institution 	
2 hours	<p>Panel 3. Anti-Corruption Research, Public Participation, Awareness Raising and Education</p> <ol style="list-style-type: none"> 1. Corruption research 2. Public participation in anti-corruption policy work 3. Raising awareness and public education 	<ul style="list-style-type: none"> • Specialised anti-corruption bodies • Coordinating institution • Other agencies which may have a role in these areas 	
Day 2			
3 hours	<p>Panel 4. Criminal legislation on corruption</p> <ol style="list-style-type: none"> 1. Criminal offences and elements of offences 2. Administrative offences 3. Liability of legal persons for corruption 4. Definition of public official 5. Sanctions 6. Confiscation 7. Immunities, defences, and statute of limitation 8. International co-operation and MLA 	<ul style="list-style-type: none"> • Ministry of Justice (department responsible for anti-corruption legislation) • General Prosecutor's Office (department responsible for prosecution of corruption crime) • Police/Ministry of Interior (department responsible for investigation of corruption crime) • Parliament (committee responsible for legislation in this area) 	

3 hours	<p>Panel 5. Enforcement of anti-corruption legislation</p> <ol style="list-style-type: none"> 1. Application, interpretation and procedure, including on criminal offence and elements of offence, administrative offences, responsibility of legal persons for corruption, definition of public official, sanctions, confiscation, immunities, defences, and statute of limitation, MLA 2. Specialised law-enforcement bodies 3. Law-enforcement statistics 	<ul style="list-style-type: none"> • Courts (judges working with corruption cases) • General Prosecutor's Office (department responsible for prosecution of corruption crime) • Police/Ministry of Interior (department responsible for investigation of corruption crime, and for MLA) • National Security Service (department responsible for corruption crime) • Specialised anti-corruption bodies (responsible for law-enforcement)
Day 3		
1 hours	<p>Panel 6. Transparency and discretion in public administration</p> <ol style="list-style-type: none"> 1. Anti-corruption screening of legal acts 2. Administrative procedures, complaints and resolution of conflicts 3. Anti-corruption action plans and measures to simplify regulations and reduce discretion in sectors with high risk 	<ul style="list-style-type: none"> • Specialise anti-corruption body (responsible for prevention) • Ministry of Justice
3 hours	<p>Panel 7. Integrity in public service</p> <ol style="list-style-type: none"> 1. Integrity in public service 2. Anti-corruption project in sectors with high risk 	<ul style="list-style-type: none"> • Public Service Body • Public Service Academy • Specialised anti-corruption bodies (responsible for prevention) • Customs • Tax • Health • Education • Police (traffic police) • Courts • Public procurement body • Privatisation body
1 hour	<p>Panel 8. Corruption in public procurement</p>	<ul style="list-style-type: none"> • Central public procurement body

	1. Anti-corruption in public procurement	<ul style="list-style-type: none"> • Procurement units/experts from individual agencies (e.g. xxx)
1 hour	Panel 9. Financial control and audit	<ul style="list-style-type: none"> • Supreme audit body
	1. Public financial control and audit	<ul style="list-style-type: none"> • Financial control/inspection of Ministry of Finance
	2. Financial control and audit in private sector	<ul style="list-style-type: none"> • Internal audit/control units in various ministries (e.g. Health, education, construction, transport, etc.)
1 hour	Panel 10. Access to information	<ul style="list-style-type: none"> • Ombudsman
	1. Access to information	<ul style="list-style-type: none"> • Ministry of Justice • Parliament (committee on freedom of expression and information)
1 hour	Panel 11. Political corruption	<ul style="list-style-type: none"> • Central elections commission
	1. Political parties financing	<ul style="list-style-type: none"> • Parliament (committees dealing with corruption, immunities and ethics)
	2. Conflict of interest regulations for politicians	<ul style="list-style-type: none"> • Anti-corruption body
	3. Lobbying	
1 hour	Panel 12. Corruption in judiciary	<ul style="list-style-type: none"> • Judges
	1. Independence of the judiciary	<ul style="list-style-type: none"> • High Council of Justice (Judicial Council)
	2. Accountability of the judiciary	<ul style="list-style-type: none"> • Association of Judges • Court Administration (or body responsible for financing and material support of the judiciary)
		<ul style="list-style-type: none"> • Judicial Academy
Day 4		
2 hours	Panel 13. Panel with civil society and business representatives	<ul style="list-style-type: none"> • TI local chapters • Other civil society groups, e.g. lawyers associations, consumers associations, freedom of information associations, etc. • Media, investigative journalists • Business associations, private companies, including state owned, SMEs, MNE, etc.
	1. Business integrity	
	2. Public participation in anti-corruption policy	
2 hours	Panel 14. Panel with international missions	<ul style="list-style-type: none"> • Bi-lateral aid agencies (e.g. USAID, SECO/SDT, GTZ, DFID, etc.)
	1. Assistance programmes on	

	corruption and good governance	<ul style="list-style-type: none"> • Economic and trade attaches
	2. Experience of foreign companies related to corruption	<ul style="list-style-type: none"> • International missions (e.g. UNDP, UNODC, WB, EBRD, CoE, EU, OSCE) • Foundations and programmes (Soros, Eurasia, ABA, etc.)
30 min	Panel 15. Closing	<ul style="list-style-type: none"> • Coordinating institution
	1. Wrap up meeting with the coordinating and key agencies	<ul style="list-style-type: none"> • Other key officials (to be decided by the Coordinating institution)

ANNEX 3. RATINGS

1. In preparing the report and in giving ratings, the experts should only take into account relevant laws, regulations or other anti-corruption measures that are in force and effect at the time of the on-site visit to the country, or in the 60 days immediately following the on-site mission, and before the finalisation of the report.
2. When recommendations require a country to undertake a specific measures in a prescriptive form, e.g. 'adopt', 'introduce', 'amend', etc., only completed measures will be taken into account for establishing compliance ratings. Only adopted laws and measures which entered into force, and which meet the substantive requirements of the recommendations, will be considered as 'fully compliant'. Any drafts (including first drafts prepared by selected agencies, drafts adopted by parliaments in first or second hearings, adopted by parliaments but not promulgated by presidents, adopted but not effective due to lack of implementation regulations) can only be reflected in the descriptive part of the assessment but will not affect the ratings, and will be considered as 'not compliant'.
3. When recommendations require a country to undertake a specific measure in non-prescriptive form, e.g. 'consider adopting', 'consider introducing', etc, incomplete measures can be taken into account for establishing compliance ratings. Drafts adopted in first hearing in parliaments, or adopted by parliaments, but only meeting parts of the recommendations, can be considered as 'partially compliant'. Drafts adopted in second reading in parliaments, adopted but not yet promulgated by presidents, and other advanced draft decision, which meet the substantial requirements of the recommendation, can be considered as 'largely compliant'.

Table 5.Ratings

Rating	Explanation
Fully compliant	The recommendation is fully observed.
Largely compliant	There are only minor shortcomings, with a large majority of the recommendation being fully observed.
Partially compliant	The country has taken some substantive action and complies partially.
Not compliant	There are still major shortcomings.
Not relevant	A requirement or part of a requirement does not apply, due to the structural, legal or institutional features of a country

Summary Ratings

<i>Subject area: existing, updated and new recommendation</i>	<i>Ratings (for the existing recommendations only)</i>
Anti-Corruption Policy and Institutions	Fully/largely/partially/not compliant, not applicable
1. Anti-corruption policy strategy and action plan	
2. Corruption research and analysis	
3. Public participation in anti-corruption policy work	
4. Raising awareness and public education	
5. Specialised anti-corruption policy institutions	
6. International anti-corruption conventions	
Criminalisation of corruption and law-enforcement	
7. Criminal offence and elements of offence	
8. Responsibility of legal persons for corruption	
9. Definition of public official	
10. Sanctions	
11. Confiscation	
12. Immunities, defences, and statute of limitation	
13. International co-operation and MLA	
14. Specialised law-enforcement bodies	
15. Law-enforcement statistics	
Prevention of corruption	
16. Integrity in public service	
17. Transparency and discretion in public administration	
18. Public financial control and audit	
19. Anti-corruption in public procurement	
20. Public access to information	
21. Political corruption	
22. Integrity in judiciary	
23. Integrity in private sector	