ReSPA

Regional School
of Public Administration

Fifth meeting of Ethics and Integrity Network

26-27 March 2014

ReSPA, Danilovgrad

Discussion paper and programme

Background

At the fourth meeting of the Network, an internal working group session on 7 October 2013 reviewed and discussed the national and international inputs and conclusions of the comparative Study. Furthermore, the internal working group session identified the next possible steps for following-up on the Study. The internal working group session was followed by a public launching event on 8 October 2013 to make the Study known to the public and review its findings by a larger audience. The working group session as well as the public launching event emphasized the need to draw practical and tangible improvements on the ground from the Study.

At the same time, there was agreement that the Network should and will not focus solely on asset declarations mid- and long-term. At the first Network meeting in March 2012, members identified a list of topics of prior relevance. The list is attached to this paper. However, as two years have passed since this meeting, there is a need to review and possibly update this list.

Objective

The objective of the meeting is twofold:

1. As for asset declarations the meeting will allow for an in-depth comparison of the Western Balkan declaration regime. Based on the comparison members can identify and prioritise reform measures they might want to approach short- and mid-term assisted by the Network.

2. As for other topics of the Network, the meeting will provide a forum to review and identify relevant issues.

Future activities of the Network will have an emphasis on achieving concrete, tangible impact.

Roadmap on asset declarations

The draft Roadmap provides a timetable how the Network could follow up on the Study:

- A first draft of a comparative matrix/chart on current asset declaration regimes will be provided to the participants prior to the meeting. The matrix was one of the key tools identified as necessary at the meeting in Sarajevo.

- The meeting will review declaration regimes and lead to the identification of possible reform issues for each country. Possible activities supporting reforms can include inter alia:
    o regulatory amendments;
    o trainings, workshops – country specific or with more than one country;

- o peer-advice and review;
- o expert input.

Long-Term Work plan of Integrity Network

Not only with asset declarations, but generally, the focus of the Network is on concrete, tangible impact. The challenges for the Network are to find topics

- that are equally relevant for each member on a concrete level despite a quite strong diversity in anti-corruption structures,

- that can be dealt with on a regional level but would still lead to impact on the ground,

- that are not yet addressed already by other networks or national projects.

Sources of information are inter alia OECD/Sigma reports, the EU-Progress reports, and GRECO reports. One possible issue would be **lobbying**, which is also on the list from the meeting in March 2012 (see attachment). GRECO continuously mentions this issue during its ongoing 4th round of evaluations, and several ReSPA members are in the course of reforming their frameworks. Furthermore, OECD has dedicated international conferences and a set of recommendations on this issue.[1] Apart from this, the Network might strengthen anti-corruption institutions through an accredited **leadership development** programme for middle and senior managers. The programme could give delegates the skills required to lead effective teams, focusing on the importance of understanding ethical and cultural issues within the organisation and the need to lead by example through demonstrating exemplary leadership behaviours. A possible draft roadmap for both, lobbying and leadership development is contained in two separate documents.

Short Resumes of the Experts

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

Valts Kalniņs has been an anti-corruption expert for many years and has worked in several Western Balkan countries. He is co-author of the OECD study "Asset Declarations for Public Officials" and of the Council of Europe "Practitioner manual on processing and analysing income and asset declarations of public officials". (valts@providus.lv)

Mr. Radu Cotici is the Head of Secretariat of the Regional Anti-corruption Initiative who possesses a Master degree in Public Administration and PhD in Public Law. He taught the General Theory of Law, History of Law and Philosophy of Law at the Faculty of Law of State at the University of Moldova. (rcotici@rai-see.org)

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[1] http://www.oecd.org/gov/ethics/lobbying.htm.

Draft Provisional Agenda

26 March 2014

09:30 – 09:45   Welcome; objective of the meeting *(Mr. Goran Pastrovic, Training manager)*

09:45 – 11:00   Presentation of draft matrix and review in group work *(moderated by experts Dr. Tilman Hoppe and Valts Kalniņs)*

11:00 – 11:15   Coffee break

11:15 – 12:45   Group work continued and finalisation of draft matrix in plenary *(moderated by expert Dr. Tilman Hoppe and Valts Kalniņs)*

12:45 – 14:00   Lunch

14:00 – 15:30   Comparative review of matrix and identification of reform needs – group work *(moderated by expert Dr. Tilman Hoppe and Valts Kalniņs)*

15:30 – 15:45   Coffee break

15:45 – 17:00   Presentation of results and conclusions (*moderated by expert Dr. Tilman Hoppe and Valts Kalniņs*)

19:00   *Social event and Joint dinner*

27 March 2014

09:30 – 09:45   Objective of 2nd day *(moderated by expert Dr. Tilman Hoppe and Valts Kalniņs)*

09:45 – 10:00   Presentation of the work of RAI - Regional Anti-corruption Initiative *(Mr. Radu Cotici)*

10:00 – 11:00   Presentation of possible other topics for the Network including lobbying and leadership development; review in group work *(moderated by expert Dr. Tilman Hoppe and Valts Kalniņs)*

11:00 – 11:15   Coffee break

11:15 – 12:15   Presentation of results of group work and drafting of Work plan *(moderated by expert Dr. Tilman Hoppe and Valts Kalniņs)*

12:15 – 13:30   Lunch

Departure of the participants

Attachment

Topics identified at the 1st Network meeting in March 2012:

	Topic	Activity	Participants	Comments
1.	Balancing transparency and data protection	Review/exchange of good practices	AC-agencies; Freedom of information and data protection officials (?)	Conflicts between institutions such as FoI-officers, ethics commission, judiciary; publicity of asset declarations.
2.	Reporting implementation of AC-plans; monitoring; indicators	Review/exchange of good practices	AC-agencies	Collecting data, presenting it; enhancing monitoring.
3.	Cooperation of AC-agencies with NGOs and donors on corruption	Review/exchange of good practices	AC-agencies NGOs (?), expert on donor cooperation	
4.	Integrity plans: practical experience	Review/exchange of good practices	AC-agencies	Impact, long-standing experiences.
5.	Lobbying	Review/exchange of good practices	AC-agencies	Comparing countries; EU-standard; some WB-countries are introducing lobbying legislation; other WB-countries possibly consider this option.
6.	Open government partnership	Review/exchange of good practices	AC-agencies	NGO as regulators; integrity plans; this topic is related to topic no. 3.
7.	AC-agencies (standards)	Review/exchange of good practices	AC-agencies	Art. 6 UNCAC; competencies; EPAC adopted 2011 standards, 11 recommendations.
8.	Immunities	Review/exchange of good practices	AC-agencies	Public officials immunity (incl. judges)

9.	Whistle blowing; anonymous reporting; hotlines	Review/exchange of good practices	AC-agencies; other agencies	
10.	Risk assessment	Training	AC-agencies	Identifying risks and design integrity plans to address those risks.
11.	Mechanisms of strengthening independency of AC-bodies	Review/exchange of good practices	AC-agencies	Lack of funds, hierarchy, lack of authority, lack of competences. Mandate, selection of heads, removal from office; conclusions should be available to OECD/EU/other standard setters and monitors.
12.	Processing asset declarations	Review/exchange of good practices; Training	AC-agencies, asset declaration commissions	How to verify asset declarations? How to make most out of them? What are good practices?
13.	Integrity testing	Review/exchange of good practices;	AC-agencies; anti-corruption law enforcement units	Checking corruption allegations by actively testing suspected officials (targeted integrity testing), deterring corruption by random integrity tests.
14.	Ethics training	Review/exchange of good practices; Pilot trainings	Training institutions and trainers; AC-agencies	Methodology; good trainings; topics to be addressed; trainings with good impact; expertise needed (psychology etc.).
15.	Inspections	Training	Internal inspectors from all public agencies	Strengthening inspection boards in the public administration through a training on raising awareness for corruption cases and on actively detecting ethics violations and corruption.