



COUNCIL OF EUROPE      CONSEIL DE L'EUROPE

Economic Crime Division  
Directorate General I –Legal Affairs  
11 January 2005

PROGRAMME AGAINST CORRUPTION AND ORGANISED CRIME IN SOUTH-EASTERN EUROPE (PACO)  
IMPLEMENTATION OF ANTI-CORRUPTION PLANS IN SOUTH-EASTERN EUROPE (PACO IMPACT)

**Inception report (March – July 2004)**

**and**

**Workplan guiding project implementation**



PC-TC (2005)2

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## **1 INTRODUCTION**

In February 2004, the Swedish International Development Cooperation Agency (Sida) and the Council of Europe signed an agreement under which Sida will finance the PACO Impact project aimed at the implementation of anti-corruption plans in South-eastern Europe up to an amount of EURO 1.5 million.

The project started with an inception phase on 1 March 2004 which lasted until 31 July 2004. The present report summarises the findings during this inception phase. It provides information on the "state of play" and, in particular, it provides a detailed workplan. This workplan will guide project implementation. Together with the "state of play" it will permit project monitoring and it will allow for an evaluation of the impact of the project on anti-corruption plans in South-eastern Europe.

While the Calendar of activities (see Annex II to this report) shall remain flexible, the workplan (chapters 6 and 7) shall not be changed without prior consultations with Sida.

## **2 PROJECT STRATEGY**

### **2.1 Overall strategy**

The need to address corruption and organised crime as an obstacle to democratic stability, the rule of law and social and economic development in South-eastern Europe has been raised by the Council of Europe and other organisations on numerous occasions. Countries of South-eastern Europe have taken up this challenge and made progress in terms of adopting European standards and relevant legislation, joining international monitoring mechanisms (that is, the Group of States against Corruption – GRECO), elaborating national anti-corruption plans, and establishing specialised anti-corruption services.

The present project will support countries of South-eastern Europe in their efforts and more specifically in the implementation of their anti-corruption plans and strategies. The project area covers mainly countries of South-eastern Europe, namely: Albania, Bosnia and Herzegovina, Croatia, "the Former Yugoslav Republic of Macedonia", Serbia and Montenegro<sup>1</sup>

Experience shows that such strategies are more likely to be successful if they consist of three elements that are closely inter-related:

- Enforcement of legislation
- Prevention
- Public awareness and participation in the anti-corruption effort.

With regard to the present project, the experience gathered under the PACO Albania project (since 2001) is particularly valuable.

The project will follow up on the assessments carried out under the Stability Pact Anti-corruption Initiative (SPAI) as well as the recommendations resulting from GRECO evaluations. It is expected that this project in turn will also feed into the SPAI process and GRECO. It will furthermore build on the commitments made by countries of South-eastern Europe at the London Ministerial Conference on Organised Crime (November 2002) and take into account the anti-corruption measures identified within the Stabilisation and Association process and other partnership agreements with the EU.

It is important to note that the European Commission (EC) will support the implementation of these commitments among other things through the CARDS programme. In November 2003, the EC awarded the CARDS regional project on strengthening police capacities against serious crime in South-eastern

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<sup>1</sup> The project area includes also Kosovo (Serbia and Montenegro), currently under the interim administration of UNMIK in accordance to the United Nations Security Council resolution 1244 (1999).

Europe to a consortium led by the Council of Europe. The CARDS Police (CARPO) and PACO Impact projects will be managed in a way that they complement each other.

The project is aimed at supporting the elaboration and the implementation of anti-corruption plans in each project area.

In order to achieve this objective the project will:

- Help improve existing anti-corruption plans as appropriate (Albania, Croatia, “The former Yugoslav Republic of Macedonia”) or elaborate plans where they do not yet exist (Bosnia and Herzegovina, Kosovo, Montenegro, Serbia);
- Strengthen the capacities of the existing mechanisms responsible for coordinating and monitoring the implementation of the anti-corruption plans and policies (ACMG in Albania, USKOK in Croatia, Anti-corruption Agency in Montenegro, Anti-corruption Council in Serbia, State Commission in “The former Yugoslav Republic of Macedonia”); or encourage and support the establishment of such mechanisms (e.g. Bosnia and Herzegovina, Kosovo, Monitoring Commission in Croatia);
- Help create a momentum of implementation of activities within the anti-corruption plans and policies by supporting a limited number of activities as foreseen under these plans; and
- In parallel to the above, support the strengthening of the legal basis for measures against corruption and other forms of economic and organised crime.

The process of elaboration or review or improvement of such plans implies consultations with a range of stakeholders and approvals by governments or parliaments. In some cases, the type of institutional mechanisms to be established and the activities to be implemented will only be determined in the course of this process and may take a long period if new legislation need to be introduced. Therefore, the project needs to maintain a degree of flexibility.

Research suggests a link between higher levels of women in politics and public administration and lower levels of corruption, as well as links between high levels of corruption and gender inequality. Therefore gender aspects are suggested be taken into account when designing anti-corruption measures. Thus a gender analysis has been carried out in the early phases of the project in order to provide a more in depth look at the nature of some specific anti-corruption measures.

The project, while taking into account the specific needs of each project area, will therefore also contain a strong element of regional interaction, and facilitate experience exchange and networking among anti-corruption institutions. Therefore the nature of activities will be addressing such needs, and namely domestic activities will address specific needs of each project area (even they are of the same field), while regional activities will address networking, experience and lessons learned exchange among professionals of the same nature institutions.

## 2.2 Objective, outputs and activities

In general terms, activities, outputs and objectives are linked as follows:

<b>Long-term objective:</b>	Strengthen democracy and the rule of law in South-eastern Europe through the prevention and control of corruption
<b>Project objective:</b>	To contribute to the implementation (and further elaboration) of anti-corruption plans in countries of South-eastern Europe
<b>Output 1:</b>	Anti-corruption plans improved or elaborated
Activities:	<ul style="list-style-type: none"> <li>▪ In-country working group meetings, workshops and training events and advice to improve or elaborate and operationalise anti-corruption plans (including clear benchmarks, indicators, and assignment of tasks, and reflecting a balance</li> </ul>

	<ul style="list-style-type: none"> <li>▪ between law enforcement, prevention and public awareness/involvement)</li> <li>▪ Regional seminars to allow for a mutual review of anti-corruption plans and experience exchange (in support of the aims of the SPAI)</li> </ul>
<b>Output 2:</b>	Institutional mechanisms for the monitoring and management of anti-corruption plans strengthened
Activities:	<ul style="list-style-type: none"> <li>▪ Advice on legal basis, tasks, organisational set up and management of anti-corruption institutions</li> <li>▪ Provide training for staff and advice to these institutions</li> <li>▪ Provide basic equipment to these institutions (if necessary)</li> <li>▪ Facilitate experience exchange and networking among anti-corruption institutions (in support of the aims of the SPAI)</li> </ul>
<b>Output 3:</b>	Draft laws/amendments available to bring the criminal legislation on corruption in line with European standards
Activities:	<ul style="list-style-type: none"> <li>▪ Support review of criminal legislation</li> <li>▪ Commission legal opinions</li> <li>▪ Hold workshops/training events to discuss and finalise draft laws for submission to government</li> </ul>
<b>Output 4:</b>	Pilot activities supported
Activities:	<ul style="list-style-type: none"> <li>▪ In each project area support the implementation of limited number of activities which are of high priority and impact, which could serve as examples or which could help create a momentum</li> <li>▪ Regional seminars to provide access to best practice and disseminate experience gained in different countries.</li> </ul>

## 2.3 Project implementation

In order to achieve its objectives (and ensure outputs) the following types of support will be provided under this project in a flexible manner and based on each project area's needs or requests:

- Provide advice by consultants, experts, project staff and the Council of Europe Secretariat to counterparts or individual institutions through bi-lateral contacts and meetings;
- Commission expertise opinions (in particular on draft laws) provided by consultants and experts;
- Provide and exchange advice by consultants, experts and project staff through small working group meetings with representatives of beneficiary institutions. These working group meetings will be referred in the workplan and calendar as "Workshops" and/or "Round Table Discussions" where the number of participants varies from 5-15 and 15-25 members;
- Provide, arrange and facilitate expert/consultant inputs via "on line" consultancy to in-country different activities;
- Provide expert/consultant inputs to national level conferences for larger groups of representatives of the country or project area (to be used in particular for consultations on anti-corruption strategies or overall discussions related to policy papers). The number of participants in these conferences varies from 50-80 members;
- Provide expert/consultant inputs and funding to regional meetings/seminars for representatives of all project areas in order to maintain the regional momentum and strengthen the networking capacities as well as establish contacts and facilitate actions aimed at institutional twinning. The number of participants in these seminars varies from 40-50 members;

- Provide the purchase of basic office/computer equipment for some of the main counterpart anti-corruption institutions which have very limited or non-existent budgets under their own resources. Based on PACO Albania experience the funding of some office equipment up to a modest amount has shown to have been the right approach of providing direct and sustainable assistance which facilitates practically the work of those institutions assigned to prepare and monitor anti-corruption plans and policies. In view of this considerations are given to the fact that these institutions are newly established or to be established during the project duration and lack the most basic technical resources *inter alia* PCs and filing cabinets. However, it should be mentioned that not all project areas would need to have such assistance, thus this kind of assistance as to be provided is addressed in the current workplan, and explained in the suggested under the adjustments of the nature of activities section of this report;
- Provide and secure funding of publications and providing tools of access for specific documentation for those main anti-corruption institutions in order to facilitate communication with the public and contribute to public and institutional awareness and education process. Such funding will include in a limited amount translation costs for certain anti-corruption international and domestic legislation/documents which due to limited resources of government budget are not wholly or partly available;
- Provide and secure funding and advice on the implementation of one pilot activity for each project area as specific measure under their respective anti-corruption plans/policies/strategies. During the implementation of these pilot activities due consideration will be given to activities related to public information and education or new specific initiatives undertaken by the anti-corruption institutions;
- Provide and disseminate advice and guidelines on links between the gender issues and specific anti-corruption measures that ought to be taken when designing anti-corruption plans and strategies. A gender analysis in the region as performed during the early phases of the project will be put at the disposal of the main interlocutors<sup>2</sup>.

## **2.4 Project framework**

### **2.4.1 Project donor**

Under the agreement between the Government of Sweden (through the Swedish International Development Cooperation Agency, Sida) and the Council of Europe dated 25 February 2004, Sida will fully finance the PACO Impact project up to an amount of EURO 1.5 million.

Sida has decided to procure an independent Quality Group (QG) to follow the project PACO Impact. The QG will function as a special resource to Sida with regard to monitoring and follow up of the performance of the project.

### **2.4.2 Project management**

The project will be implemented by the Department of Crime Problems of the Directorate General for Legal Affairs of the Council of Europe. The Department of Crime Problems is involved in standard setting activities in the field of corruption, organised crime, money laundering and other forms of economic crime, is responsible for relevant monitoring mechanisms (MONEYVAL for money laundering and the Group of States against Corruption – GRECO) and carries out technical cooperation programmes (such as Octopus, MOLI projects against money laundering, and PACO). It is furthermore representing the Council of Europe in the Stability Pact Initiative against Corruption (SPAI). The implementation of the project by the Department of Crime Problems will thus ensure coherence and

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<sup>2</sup> See, Annex VI (Report Recommendations). Full text available at CoE secretariat upon request.



integration with standard setting, monitoring and other technical cooperation activities carried out within the framework of initiatives and other partners in this field namely SPAI, OSCE, EC, OECD and UN.<sup>3</sup>

The project will be managed as part of the Programme against corruption and organised crime in South-eastern Europe (PACO). A Project Manager who will be specifically responsible for the implementation of the project is based in Strasbourg as part of the technical cooperation team within the Department of Crime Problems. This team will also follow the implementation of other technical cooperation activities in South-eastern Europe, including CARPO regional project. The Project Manager will work under the supervision of the PACO Programme Manager and the Head of the Department of Crime Problems. The Project Manger will undertake extended missions to the countries participating in order to carry out all the necessary activities provided for in this project document.

### **2.4.3 Reporting**

In accordance with the Sida and CoE Agreement, the Council of Europe shall prepare financial and narrative reports covering the activities performed and the results obtained by the project. Such reports, which shall be submitted to Sida HQ, shall cover six months, as follows:

- Inception Report (31 July 2004) – following the Inception Phase (March-July 2004). The Inception Report when approved by Sida will become the new Project Document for the continued implementation of activities as well as measurable indicators<sup>4</sup>;
- 1<sup>st</sup> Semi-annual Report (31 January 2005);
- 2<sup>nd</sup> Semi-annual Report (31 July 2005); and
- Final Report (30 April 2006).

### **2.4.4 Project areas**

In each project area, the Government has shown its commitment by appointing one Project Director (CPD) who – together with the main official anti-corruption institution – will be the main interlocutor for the Council of Europe in the implementation of this project. The Project Director will be a senior staff member of the main anti-corruption institution or of a relevant ministry or State body with the necessary authority to ensure the organisation and coordination of project activities.

Moreover, in each of the countries/areas a Local Project Officer (LPO) is recruited by the Council of Europe with the task of supporting counterpart institutions on a day-to-day basis. Almost in all project areas (but Croatia), the Local Project Officers are located within the Council of Europe offices in Belgrade, Podgorica, Pristina, Sarajevo, Skopje and Tirana. The Local Project Officers are part of the Project Management Team.

## **3 INCEPTION PHASE**

In accordance with the Sida and CoE Agreement, the period from March to July 2004 has been considered to be the inception phase of the project.

Between March and early June 2004 the first series of “Start up” workshop events have been taking place in each project area. Among other things, these events have been used to:

- review and establish the current situation for each project area (this enable the project management team to prepare “Inception Phase Reports” for each project area);
- identify the necessary areas where reform and specific actions are required (i.e., legislative reform, institutional reform, pilot activities, and training needs);

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<sup>3</sup> See, reference to these partners in cooperation and implementation of specific activities as referred in workplan.

<sup>4</sup> This report will include a revised project budget, suggestions for changes of the final project document and tentative final timing of activities foreseen in the workplan.

- identify and review status of the list of actions and commitments for each project area as merging or being recommended through other initiatives and international instruments (i.e., GRECO, SPAI, EC-SAp/SAA);
- identify and provide the “blue print” of activities that are necessary to be carried out with the technical assistance and support of the PACO-Impact project; and
- provide and suggest some adjustments to the final project document on the nature and type of certain activities based on the assessment of specific needs and on-going reforms in some project areas.

During these events, it has been assured that the contribution and the suggestions received from the main interlocutors/beneficiaries and the main stakeholders will be the basis on which the workplans of the activities for each project area will be suggested. This phase has furthermore allowed the finalisation of the logical framework and specification of the indicators of success. A gender analysis has also been carried out during this phase.

The aim of the 1st Regional Conference which was held during 8-10 July 2004 was to finalise the specific workplans for each project area, while taking into account the outcomes and requested assistance based on the previous Start-up workshop activities. These workplans along with the draft of the Inception Report were the main documents that were presented and consolidated during the works of the 1<sup>st</sup> Regional Conference.

A second Regional Conference to review progress (in parallel to other specific activities under the plan) will be held in May/June 2005, and a final one in February 2006. The Final Regional Conference will also address issues of the evaluation of the project.

### **3.1 The modus of the inception phase**

The Inception Phase of the project followed a three-fold approach:

1. to organise the “Start up” workshops in order to introduce the project to the main counterparts and establish the official contacts and networking between the project management and each project area;
2. to prepare the State of Play reports for each project area in relevance to the project objectives (identifying current situation and emerging needs for reform) and actions that need to be supported through technical assistance and policy advice through the project implementation<sup>5</sup>; and
3. to draft the Specific Workplan[s] of Activities for each project finalisation of which is aimed to take place during the 1<sup>st</sup> Regional Conference (8 -10 July 2004)<sup>6</sup>.

During the inception phase, the nomination of the Country Project Directors (CPD) took place by a decision of each governmental authority in accordance to the previously agreed project implementation conditions. In addition to that the Council of Europe undertook regular recruitment procedures for the seven Local Project Officers (LPO) in each project area, which in cooperation with the Project Directors will serve as the main coordinators and facilitators for the implementation of project activities.

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<sup>5</sup> Note that the State of Play will also serve as measuring tool during project evaluation by comparing new data and developed structures, and anti-corruption plans during the period of the project implementation.

<sup>6</sup> See, 1<sup>st</sup> Regional Conference Agenda and Participation list as annexes of this report.

### 3.2 Calendar of “Start up” activities (inception phase March-July 2004)

Time	Place	Activity	Local Authorities	Council of Europe
18 - 20 February 04	Tirana, Albania	- “Start up” workshop - Bilateral meetings/visits	ACMG, ACU and office of Minister of State, PG, MOJ and international organisation partners	PACO-Impact Project Manager 1 CoE Consultant
3 - 5 March 04	Pristina, Kosovo (S&M)	- “Start up” workshop - Bilateral meetings/visits	GTZ/EAR, UNMIK/OLA, UNMIK/DOJ, PM Office for GGG, AC Ministerial WG, NGO rep.	PACO-Impact Project Manager 1 CoE Consultant
21 - 23 April 04	Sarajevo, Bosnia and Herzegovina	- “Start up” workshop - Bilateral meetings/visits	OHR, MOJ, Ministry of Security, Prosecutorial Services, EUPM, NGO rep., HJPC	PACO-Impact Project Manager 1 CoE Consultant
28 - 30 April 04	Skopje, “the Former Yugoslav Republic of Macedonia”	- “Start up” workshop - Bilateral meetings/visits	AC State Commission, MOJ, Prosecutorial Services, Ministry of Interior, NGO reps	PACO-Impact Project Manager 1 CoE Consultant
5 - 7 May 04	Podgorica, Montenegro (S&M)	- “Start up” workshop - Bilateral meetings/visits	AC Initiative Agency, MOJ, Prosecutorial Services, Ministry of Interior, NGO reps	PACO-Impact Project Manager 1 CoE Consultant
31/05 - 1/06 May/June 04	Belgrade, Serbia (S&M)	- “Start up” workshop - Bilateral meetings/visits	AC Council, Ministry of Interior, MOJ, Ministry of Finances, Judicial Training Institute, Bar	PACO-Impact Project Manager 1 CoE Consultant
3 - 5 June 04	Zagreb, Croatia	- “Start up” workshop - Bilateral meetings/visits	USKOK, MOJ, Parliamentary Commission, Ministry of Interior, NGO reps	PACO-Impact Project Manager 1 CoE Consultant
Mid-June	Strasbourg France	Final Reporting of “Start up” activities—Draft of Inception Report		PACO-Impact Management Team 1 CoE Consultant
8 - 10 July 04	Budva Montenegro (S&M)	1 <sup>st</sup> Regional “Start up” Conference	7 project Area Delegations (representing relevant institutions)	5 PACO-Impact Management Team 2 CoE Consultants 3 CoE Experts
30 July 2004	End of Inception Phase			

### 3.3 Observations during the inception phase

The Project Management has the following observations concerning the inception phase:

- The **implementation of the inception phase activities** (seven “start up” workshops) was organised according to plan and reached the expected results: assessing the current state of play and needs while identifying main areas where the project can support and assist in order to reach the overall objective (drafting workplans for specific activities for each project area);
- In parallel to “Start up” workshops in each project area a **networking among professionals in this field** was established through discussions and meetings which helped at establishing a good relationship with the main counterpart governmental institutions (beneficiaries), and other relevant domestic and international organisations;

- A **very good relationship** has been already established with all **project beneficiary institutions**. So far there has been an **expressed political will** in each project area from the government authorities and their senior representatives (leading respective government institutions designed to combat corruption and organised crime). The political will has been clearly demonstrated also by the nomination in all seven-project areas of the Country Project Directors (CPD) from the highest level of government authorities;
- The **recruitment of Local Project Officers** (LPO) in each project area has been finalised, however it should be mentioned that this process took longer time than estimated. In now days each of the LPOs has been contracted as CoE staff (part-time 50%), and accommodated in each Council of Europe field office, with exception of Croatia, in which Council of Europe does not have an office. However, thanks to the offer from IOM, the Croatia LPO is currently placed within IOM premises.
- The **1<sup>st</sup> Regional Conference** which brought together some 100 participants from the region, showed the readiness of all country delegation members to strive for a more active participation when implementing their national strategies and anti-corruption plans by taking use of the most practical tools and assistance that PACO-Impact will offer and at the same time maintaining its regional ownership.

### 3.4 Suggested adjustments to the nature and type of activities

The annexed workplan and calendar activities are the final documents on basis of which the activities will take place. By taking into account all references and proposals made at the “Start up” workshops, meetings, and the discussions held during and after the Conference, the Project Management Team after assessing the situation in overall suggests and explains the reasons of those reflected changes in the workplan and calendar (and subsequently to the project document) as follows:

1. In overall the change of nature of some foreseen activities will require no additional funding;
2. Instead of Three Major Regional Conferences (Inception, Mid-term review, Final), plan to hold only Two Major Regional Conferences (90 participants) including here the 1<sup>st</sup> Regional Conference which is already held in Budva;
3. In addition, Five Thematic (Network/Multi-Twinning) Regional Seminars (30 participants) be held on specific topics/themes as suggested by beneficiaries in order to allow in overall the establishment of the specialised services network among professionals, their exchange of experiences with the region and serve as “twinning and capacity building” discipline. Such Regional Seminars being held in one of the beneficiary countries as per description in the workplan will also secure a cost effectiveness’ when organising them;
4. As a part of one of the Thematic Seminars, namely the “Prosecutorial Services Seminar”, it has been suggested and requested that not only the regional ownership and twinning must be secured during these activities, but also external exchange be allowed through a specific activity in Hamburg, Germany. This is due to the reasoning that: the German model is more similar to many SEE countries prosecutorial systems; contacts with German experts and host institutions have already been established even from some countries directly; the hosting institution in Germany has committed to associate this activity partly to a general national wide Conference of German Prosecutors, whereas the cost effectiveness, twinning, and networking with westerner institutions and professionals can be secured.
5. With respect to the planning of Pilot Activities in general, each project area in accordance to the initial budgeting has been allocated the amount of 45,000.00 Euro. Also, pilot activities are envisaged to represent one measure within respective anti-corruption plans (where in some project areas they are not yet finalised). Thus, a detailed planning of all steps to be taken for carrying out these Pilot Activities will become feasible by the mid-term review of the project as all of them will take place during year 2005. This shall not change the allocated funds as previously, but provide a detailed planning of how the expenditure will take place per filed.

As concerns Albania and “The former Yugoslav Republic of Macedonia”, the Pilot Activities in these countries represent continuation of reforms and processes which have been initiated in the past through previous technical assistance projects and are now a part of their anti-corruption plans/reforms (as institutions). Therefore this is the reason that for Albania (a meeting and drafting exercise associated with experience exchange in practice in Lower Saxony, Germany on case management system and their operational side)<sup>7</sup> has been scheduled to take place as an initial step toward the implementation of the Pilot Activity. While for the “The former Yugoslav Republic of Macedonia” two twining activities/visits on experience exchange and networking have been requested and thus scheduled to take place in Italy and Latvia due to their similarities at the specialised anti-corruption services (based on policy advice and law enforcement models)<sup>8</sup>.

In Croatia, considering that certain reforms have already been taking place in the past in a different paste, the nature of needs and thus of the pilot activity, is different. The Croatian Ministry of Interior in cooperation with USKOK authorities argued that the main obstacle on their corruption related investigations and cooperation among their institutions during their criminal proceedings with the districts is the lack of funds/or available “Video Conferencing equipment” and “Special Investigative Means (SIMS)” equipment. According to the Croatian authorities, it has been consistently stated that the project could achieve its greatest impact if such equipment could be provided with the funding foreseen for pilot activities (Euro 45,000). Once detailed cost estimates and specifications are available, they will have to be analysed. This would then be followed by consultations with Sida in view of possible funding under the PACO Impact project. Such equipment will not be procured without prior approval by Sida.

Certain project areas may need some more time to identify a limited number of additional activities (i.e., Output IV: Pilot Activity for Serbia) since the Inception Phase was not sufficient to allow premature planning considering that in some countries there is a lot to do with respect to initiate the process of elaborating the action plans and policies in the fight against corruption. Therefore, a limited number of additional “in country” activities may be added later on to the current calendar in accordance to the outputs of the workplan with prior notification to Sida and with no additional funding;

6. As previously referred in this report, and in accordance to the proposed initial and approved initial budget, in general the amount of 60,000.00 Euro is total allocated toward the purchase of office equipment (PCs and Filing Cabinets, etc.) for anti-corruption services/institutions in order to assist their direct work when designing and implementing anti-corruption plans/policies. Based on the assessments made during the inception phase, the Project Management Team has reached the conclusion that only four project areas namely Croatia, “The former Yugoslav Republic of Macedonia”, Kosovo (S&M) and Montenegro (S&M) are identified as beneficiaries on equipment purchase. In the allocated sum, there is an additional input that will be contributing for Croatia, Kosovo, Montenegro considering that purchase of equipment is a part of the Pilot Activity framework. Thus it is suggested that the estimated sum be re-allocated as follows:

- **“The former Yugoslav Republic of Macedonia”**--Estimated Cost: 20,000 Euro
- **Croatia**--Estimated Cost 10,000 Euro (in addition to the Pilot Activity allocated sum of 45,000.00 Euro)
- **Kosovo**--Estimated Cost 20,000 Euro (in addition to the Pilot Activity allocated sum of 45,000.00 Euro)

<sup>7</sup> See, PACO Albania 2 – Annex Activity “Report and Recommendations on the Case Management reform within Prosecutorial Services aimed at prevention of corruption within Prosecutorial Services”.

<sup>8</sup> These contacts and networks have been established and supported during last year through European Commission assistance programme in “The former Yugoslav Republic of Macedonia”.

- **Montenegro**--Estimated Cost 10,000 Euro (in addition to the Pilot Activity allocated sum of 45,000.00 Euro)
7. Very few country activities (in total 4-5 of them), especially those aimed at drafting workshop sessions of important policy and strategy papers, have been suggested (dictated from the past experience) to be held outside the capital city, where a very small number of working group members can spend long hours of group work. This has been identified as a more productive way of work for those professionals who are most of the time engaged on other official duties which permits their distraction and thus spent a limited time on working group sessions if held in the capital cities. It should be noted that these activities will not constitute "retreat sessions", but in contrary will allow a more cooperative spirit among some institution members which face networking and cooperation problems with each other, or due to other reasons.
  8. The current Financial Report (Annex III) reflects budget, committed, and disbursed funds, for the inception phase and some early activities that were held in early fall. Certain disbursed funds are not yet certified due to the late activity payment and bill confirmations in the field. Also, the proposed activities under the workplan will not require additional funding, but will require re-allocation of funds by suggesting a revised Budget Proposal (Annex IV);

## 4 STATE OF PLAY

### 4.1 Albania

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#### 4.1.1 Background

Albania has to some extent demonstrated commitment to EU integration and has since 1997 come a long way in terms of institutional and legal reforms. According to the EU Commission's Third Annual Report on Stabilization and Association process in Southeast Europe, however, much remains to be done especially in the area of fighting corruption and reforming judicial system and public administration. Similar to other countries in the region, Albania faces a big challenge of securing sustainable economic development and reducing high rate of unemployment, much of which underlines problems of corruption and serious crime.

Albania is currently undergoing the negotiations process with Task Force of the European Commission and is anticipating being able to finalise and then sign the Association and Stabilisation Agreement in the due course.

The main evaluation of Albania's anti-corruption reforms and their implementing until now is that of GRECO from December 2002. Also, the technical assistance evaluation of PACO-Albania 1 and PACO-Albania 2 project[s] ("Strengthening the Anti-Corruption Monitoring Group" and "Implementation of the Anti-corruption Plan") of July 2002 and November 2003 refers to progress and on going reforms in Albania with respect to Anti-corruption efforts. Following a significant progress in creating Anti-corruption Unit and the Anti-corruption Monitoring Group, and devising up the anti-corruption plan, the two documents offer suggestion for a way forward and further improvement in implementing the Anti-corruption action plan, which is reviewed and updated annually.

There are no comprehensive public surveys of corruption in Albania (MSI/USAID public survey has been due to come out in April 2004, however there has been no communication yet), although micro system studies done by ACU and sporadic experience do testify of the phenomena. Some early surveys carried out with the support from the international community, show that the Judiciary, the Customs, the Privatisation Agency and the Health service are among the most corrupt systems. In addition there is an survey conducted by the Albanian Centre for Economic Research (ACER) and ORT, funded by USAID and Soros Foundation, June 1998 which refers to the same issues of concern.

A great degree of discretionary powers of the government, the political, legal, economic and social transition, high unemployment, low income, a considerable "informal" economy, and a generally low confidence in public administration, are all factors contributing to corruption. To reduce it, PACO Impact

needs to address both when designing activities on the supply (transparency and oversight of public officials) and a demand side of corruption (the public and other sectors of society).

#### 4.1.2 Relevant international instruments

CoE Instruments	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime CETS No.: 141	4/4/2000	31/10/2001	1/2/2002					X		
Criminal Law Convention on Corruption CETS No.: 173	27/1/1999	19/7/2001	1/7/2002							
Civil Law Convention on Corruption CETS No.: 174	4/4/2000	21/9/2000	1/11/2003							
Additional Protocol to the Criminal Law Convention on Corruption CETS No.: 191	15/5/2003									
GRECO Accession	27/04/2001	First Evaluation Round: 8-12/04/2002								
UN Convention against Corruption	18/12/2003									

#### 4.1.3 Relevant domestic legislation

**Criminal Code:** Recent changes and amendments in the relevant provisions related to corruption, economic and organised crime offences have already been provided with the assistance of PACO Albania 2 project.

**Criminal Procedure Code:** Recent changes and amendments in the relevant provisions of the related to Special Investigative Means (SIMS) have already been provided with the assistance of PACO Albania 2 project.

**Law on Funding Political Parties and Electoral Campaigns** is currently under revision and assessment to propose changes in line with international standards

The existing legal provisions (in different pieces of legislation) related to the **Conflict of Interests** within the general legal framework are currently under revision and assessment in order to propose changes in line with international standards and opt for a compilation.

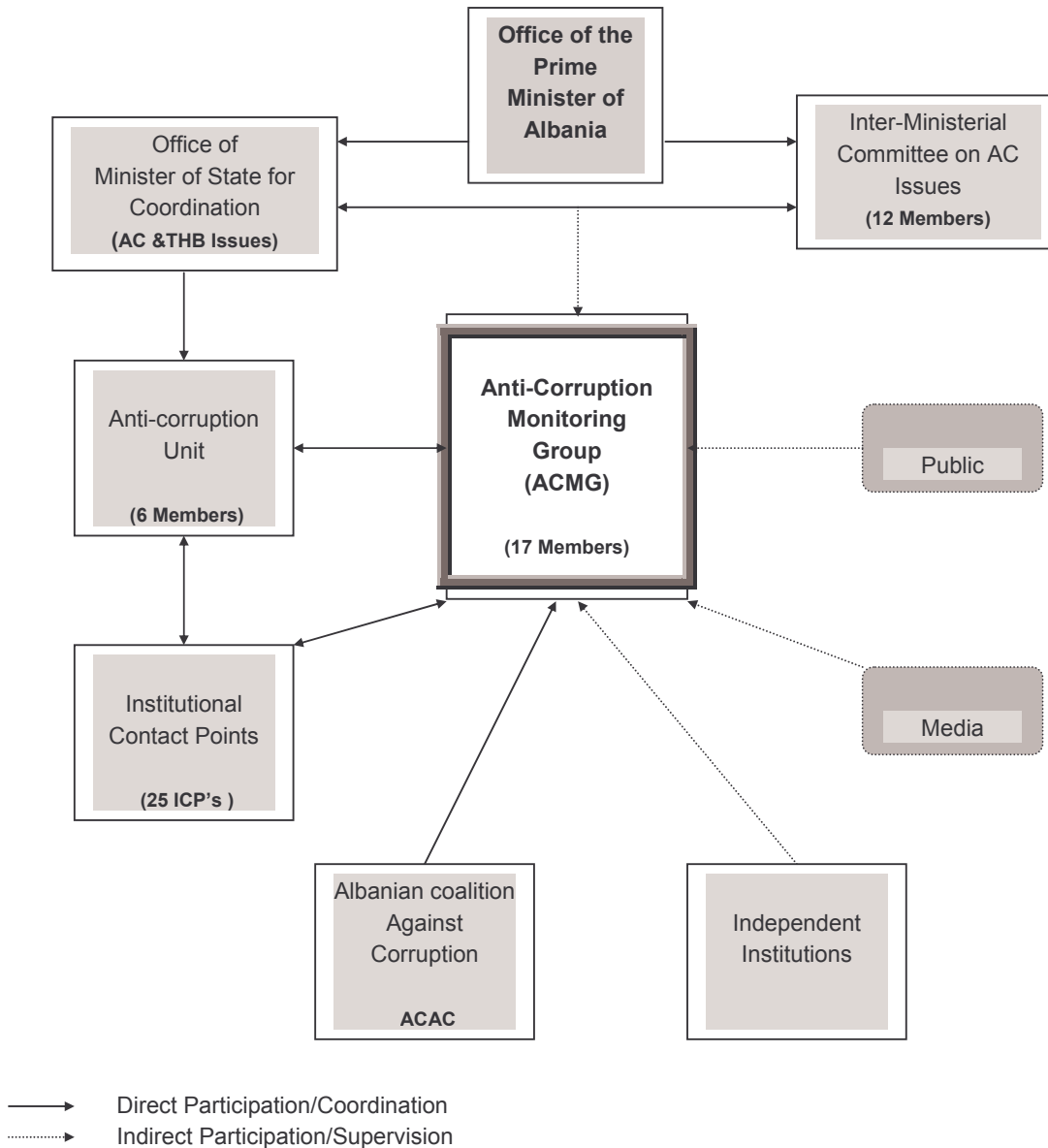
A new law on “**Rules of Ethics for Public Administration**” has been introduced in 2003.

A new law on the “**Declaration of Assets and Financial Obligations for Public Officials and Elected Persons**” has been introduced in 2003, and the High Inspectorate is now established and have started to become operational.



**4.1.4 Relevant anti-corruption services**

The following is the structure of the Anti-corruption services in Albania, since 2001.



The Anti-corruption Monitoring Group consists of a Monitoring Board and of the Anti-corruption Unit. The Board is under the authority of the Minister of State to the Prime Minister’s office. The Board through the Minister of State near the Prime Minister reports to the Inter-ministerial Anti-corruption Committee (headed by the Prime Minister).

The Board has 17 full members, and other invited representatives from independent institutions and civil society. The Members of the Monitoring Board are the representatives of the following institutions:

- director of the Anti-corruption Unit member
- director of the Department of the Public Administration, in the Council of Ministers member
- director of the Codification Department, in the Ministry of Justice member
- director of the Department of Judicial Inspection in the Ministry of Justice member
- director of the Department of Legal Affairs, in the Ministry of Finance member

- |   |  |        |
|---|--|--------|
| - | director of the Department of Economic and Financial Auditing,<br>in the Ministry of Public Order        | member |
| - | director of the Department of Legal Affairs, in the Ministry of Economy                                  | member |
| - | director of the Department of Legal Affairs, in the Ministry of Health                                   | member |
| - | director of the Department of Legal Affairs, in the<br>Ministry of Local Government and Decentralization | member |
| - | director of the Department of Legal Affairs, in the Ministry of Territory<br>Regulation and Tourism      | member |
| - | director of the Public Procurement Agency  | member |

At the meetings of the Monitoring Board, members or representatives from the following institutions are invited to participate:

Parliament;  
Office of the Attorney General;  
People's Advocate – Ombudsman;  
State Audit Institution;  
Inspectorate of the High Council of Justice;  
High Inspectorate of the Declaration of Assets  
Albanian Coalition Against the Corruption; and  
The Association of Businessmen of Albania

The **ACMG Board** has been dealing and handling issues related to a very specific nature and also reviewing a lot of technical materials/papers as prepared by the Anti-corruption Unit. In addition to the tasks carried out within and under the authority of the ACMG Board (i.e., Task Charts, Micro-system Studies, Macro-system Studies, endorsement of six month reports, and conducting Inventory of Achievements), the Board members themselves have been involved in additional specific activities related to public awareness and local government outreach strategy design.

The **Anti-corruption Unit** is now fully operational if compared to 3 years ago. The staff has gone through some general and specific training (not only provided by PACO Albania 1 and 2 projects). The ACU now has a Director and 5 Inspectors covering issues related to public order, media, legal and judicial, public administration, and economic and finance. All the staff is now employed under the Law "On Status of Civil Servants". It should be noted that the visibility, the professional authority, and institutional and public awareness of ACMG and ACU have been enhanced when compared to 2-3 years ago. Lately the Anti-corruption Unit has started to demonstrate that it is now ready to discharge its responsibility and promote system reforms, especially through its Micro-System Studies and policy reform recommendations that they issues, and are endorsed by ACMG.

The **Action Plan** for Prevention and the fight against Corruption as a document with commitments and responsibilities based on indicators of success for each institution has been and still is a "living document". If compared with its first ever version of 1998, it no longer presents a compilation of general ideas of measures which could possibly contribute against corruption, but a plan containing realistic measures which are tangible and measurable such as: policy statement, annual inventory of achievements, annual priorities of government and its strategies, realistic risk assumption, indicators of success, rational deadlines. At the same time the Action Plan as a living document allows that analysis be performed by ACMG, ACU, and Contact Points through their measuring and monitoring tools: Task Charts and Macro-System reporting. In addition, the action plan itself addresses in general some issues that can be or have been already addressed by Micro-System Studies.

**Institutional Contact Points** are the civil employees representing central public and independent institutions, who supply information and elaborate further any recommendation on anti-corruption systems and the implementation of the anti-corruption measures within their institution.

The selection and nomination of Contact Points is a process, which was undertaken by each superior authority of all relevant institutions. The Contact Points are sometime more than one person, depending

on the tasks and institution they cover. The first Contact Points were selected and nominated in early April 2002. By then, the Anti-corruption Unit has now created a network of some 27 Contact Points.

During the implementation of the Anti-corruption plan or specific micro-system studies (action which are led by ACU) the contact points have to carry the functions as listed below:

- serving as liaison of information and technical discussion between ACMG and their institutions;
- compile and analyse all relevant information and reporting as required by ACMG and Anti-corruption Unit (i.e., Micro system studies; *Ad hoc* reports);
- provide advise and propose solutions with respect to any related system study or improvement of the anti-corruption plan, specific anti-corruption measures;
- coordinate the gathering and drafting of all necessary information for the respective institutional task charts which are then presented into a Macro-System report in a format of Inventory of Achievements every 3-6 months;
- attend and discuss issues of concern in ACMG board meetings.

#### **4.1.5 Other existing institutions and mechanisms in place**

**High Inspectorate for Declaration and Control of Assets** has been newly established in late 2003.

**State Audit and Internal Control** mechanisms are already in place.

**The Office of Ombudsman** is already in place.

**The Office of Economic and Organised Crime Bureau** at the office of Prosecutor General has recently been established.

The new **Court of Serious Crime** has been recently established.

The Tirana office of **District Prosecutor** has recently established the **Anti-corruption Unit** as specialised services composed of specialised Prosecutors and Judicial Police.

**High Council of Justice**, which handles the nomination and removal of Judges;

**Inspectorate of High Council of Justice** serves as an inspection office with respect to the issues related to the evaluation system of Judges.

**General Directorate for Prevention of Money Laundering** is an office established within the Ministry of Finance.

#### **4.1.6 Project Orientation**

Given the findings of the PACO Impact mission and the recommendations of GRECO report and the EU Commission's Third Annual Report on Stabilization and Association process in Southeast Europe, as well as feedback of the government bodies and other institutions involved, PACO Impact would consider the following:

Main Goal: Improvement of the Anti-corruption plan and its comprehensive implementation aimed at improvement of monitoring based on Indicators of Success and an increased accountability and responsibility for all involved institutions.

Expected actions: Improved Anti-corruption plan, consolidated and comprehensive measurable Anti-corruption actions; Implement certain (specific and important) measures under the action plan, strengthen monitoring and managing mechanisms by the inclusion of tangible indicators of success in the action plan. Strengthen capacities of the prosecutorial services to fully carry on criminal proceedings against corruption related offences, by professionally equipped officers and prosecutors.

## 4.2 Bosnia and Herzegovina (BiH)

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### 4.2.1 Background

The Dayton Peace Agreement that ended the war in November 1995 created a complex governing structure in Bosnia and Herzegovina. The country is comprised of two entities, Federation of Bosnia and Herzegovina (Federation), which is further divided into 10 cantons, and Republika Srpska (RS), and from each entity largely separate District of Brcko. This rather decentralized structure has several levels of governance: level of the state of Bosnia and Herzegovina; entity levels; cantonal level; Brcko District level; city (Mostar); and municipal's levels (as in Republic of Srpska as well as in the Federation of BiH within Cantons). The levels of governance are not necessarily hierarchically integrated and has a significant level of autonomy. Such a fragmented structure poses a great challenge to efficient governance in BiH.

Office of the High Representative (OHR), created by the Dayton Peace Agreement, is in charge of implementing the civil aspect of the Peace Agreement has a significant governing authority in BiH. Since 1997, OHR has grown in staff and governing powers such as having an authority to declare laws and dismiss appointed and elected public official for reasons of obstructing the implementation of the peace agreement. Since 2000, OHR has largely focused on strengthening the state level institutions aiming at improved more coherent governance, and representation and participation of the country in international *fora*.

Bosnia and Herzegovina had come a long way since 1995, politically, institutionally and otherwise. Some current challenges facing BiH are high rate of unemployment and slow economic recovery. Post-war reconstruction is largely completed, and the current focus seems to be on better institutional performance, including anti-corruption measures, and economic revival. Similar to other countries in the region, BiH has declared a commitment to European integration. Its performance has recently been reviewed in the Feasibility Study on BiH's preparedness for signing an Association and Stabilization Agreement with EU. The study identified 16 priorities for BiH including improved budget transparency and fight against serious and organized crime.

In addition to this, BiH has been evaluated by GRECO for the first time at the end of 2002 which provided eighteen recommendations including those on the establishment of a body responsible for the enhancement of a country-wide anti-corruption activities; improved public education work with the media and the public; strengthening audit offices; greater involvement of Ombudsman offices in anti-corruption efforts; and finally a thorough examination of immunity covering public and elected officials.

There have been two surveys of corruption in BiH in the past several years. One has been completed by the World Bank at the invitation of BiH government and is not a public document. The other one has been undertaken by the Transparency International Chapter in BiH.

#### 4.2.2 Relevant international treaties/instruments

CoE Instruments	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime CETS No.: 141	30/3/2004 s	30/3/2004 s	1/7/2004							
Criminal Law Convention on Corruption CETS No.: 173	1/3/2000	30/1/2002	1/7/2002				X			
Civil Law Convention on Corruption CETS No.: 174	1/3/2000	30/1/2002	1/11/2003							
Additional Protocol to the Criminal Law Convention on Corruption CETS No.: 191	15/5/2003									
GRECO Accession	25.02.2000	First Evaluation Round: 1-5/07/2002								
UN Convention against Corruption										

#### 4.2.3 Relevant Domestic Legislation

At the beginning of 2003 a criminal law reform on state level has been carried out in line with the EU and international standards, by HR's Decision which imposed a two paramount codes for BiH: **Criminal Code of BiH and Criminal Procedure Code of BiH**, on 23 January 2003. Both codes came into force on 01 March 2003.

This year, several very important laws within area of criminal justice and in the same related to combating organized and economic crime and corruption, were adopted:

- **Law on SIPA** (State Investigative and Protection Agency) and **Law on Police Officials of BiH** – both published in OG. of BiH, No. 27/04 dated of 15 June 2004 and came into force on 23 June 2004;
- **Law on the Programme for the Protection of Witnesses in BiH** and **Law on Prevention of Money Laundering** – both came into force in July 2004 and January 2005.

Adoption and publication of these laws created the basis for a firm legal frame-work for restructuring of criminal justice system and institutions in BiH, especially if considering that a new, aforementioned criminal law reform established a new criminal justice system that has been revealed involving adversarial system and instituting a new criminal procedural institutions, with completely new role in criminal proceedings based on the best EU and international law standards (prosecutor is chief of

investigation; an authorized police officials have a completely new role during an investigation; establishing a preliminary proceedings and preliminary hearing judges; introducing the plea bargaining and immunities, direct and cross examination; establishing a corporate criminal liability gaining the proceeds of crime and its confiscation, etc.)

**The Public Information Law** has been recently introduced.

The law on **Financing of Political Parties, Declaration of Assets and Conflict of Interest Law**: are in force now and the responsible institution for their monitoring is the BiH Elections' Commission.

#### **4.2.4 Relevant anti-corruption services**

Bosnia and Herzegovina's **anti-corruption strategy** is an integral part of the Poverty Reduction Strategy Paper (PRSP) that outlines medium and long-term goals in the institutional, legislative and economic development. At this moment, BiH does not have a permanent/independent anti-corruption commission/body in charge of monitoring the implementation of the reforms in this area.

The body in charge of coordinating the design and monitoring the implementation of the overall PRSP strategy from March 2004 is the **PRSP Coordination Board** for economic development and EU integration, an inter-ministerial body within the Council of Ministers (CoM), a state level executive body. The Board oversaw the writing of the PRSP strategy, while **the Coordination Office for PRSP**, established by the decision of the CoM, was put in charge of its coordination. The Office serves as the secretariat of the Board and is located on the state level with the Ministry of Foreign Trade and Economic relations, while entities and Brcko District have their own PRSP offices.

BiH GRECO Delegation, by virtue of having to report and participate in GRECO procedures, is also involved in accumulating information about ongoing anti-corruption activities and reforms. The Delegation has three members, one from each entity and one from a state level institution.

Additionally, OHR's ACCU (**Anti-Crime and Corruption Unit**) is an integral part of OHR structure, and its main task is to assist domestic authorities to analyse, investigate, and prosecute serious crime and corruption. The policy making in anti-corruption area specifically, and rule of law area in more general terms, is a responsibility of the **Rule of Law department**, which focuses on comprehensive and relevant legal reforms.

#### **4.2.5 Other existing institutions and mechanisms in place**

**Ombudsman**: It has been in existence for several years now both on the state and entity levels. Although Ombudsman primarily concerns itself with human rights issues, its monitoring role of the public administration serves a very important preventive role in fighting corruption.

**Public procurement law** – The law was passed in April 2004. Two new, independent bodies – Public Procurement Agency and Procurement Review Body – have yet to be established in order to monitor procurement process, gather information and ensure compliance with the procedures and regulations of the Law. Adoption and implementation of this law has been one of the 16 recommendations of the European Commission Feasibility Study.

**Comprehensive judicial reform**: Reappointment of judges was done under the supervision of High Judicial and Prosecutorial Council of BiH established by OHR and staffed by internationals and domestic lawyers. High Judicial and Prosecutorial Council covers both entities.

**Comprehensive reform of Prosecutorial Services**: Reappointment of prosecutors is still ongoing and is done under the supervision of the High Judicial and Prosecutorial Council of BiH established by OHR and staffed by internationals and national lawyers.

**Comprehensive Court Restructuring:** It is aimed at consolidating court structure with clearer jurisdictional division between different levels of governance. **Within the Court of BiH** (state level) in 2003 was established Special Court Division in charge of organized and economic crime (entire country) and corruption (of only state level institutions public servants and officials); while entity's public prosecutors' offices prosecute corruption and other crimes in their respective jurisdictions.

**Comprehensive Prosecutorial Services Restructuring:** It is aimed at consolidating prosecutorial services structure with clearer jurisdictional division between different levels of governance. In 2003 within State Prosecutor's Office (BiH) the **Special Prosecutors' Department** was established and which is in charge of organized and economic crime (entire country) and corruption (of only state level institutions public servants and officials).

**State and Entity Independent Audit Bodies:** These bodies have been in existence for some time and already have been conducting a very detailed and complex audit reviewing in BiH -state institutions- founding very serious misconducts and transgressions/abuses on the side of the state's officials responsible for accomplishment of budgetary obligations and commitments, prescribed by the law. All the audit reviewing/reports have already been submitted to the BiH Parliamentary Assembly for consideration.

#### **4.2.6 Project orientation**

First, the comprehensive legislative and institutional reforms, particularly those of the criminal justice system, have largely been driven by OHR-created Independent Judicial Commission. Although the reforms have been welcome in the country, given their complexity and depth, there is a lack of understanding amongst the practitioners (law enforcement, judges and prosecutors) about the implementation of newly introduced laws adding here the difficulties in the implementation and securing success in convicting corruption and serious crime.

Secondly, in terms of the monitoring of anti-corruption part of the PRSP strategy, the Coordination Office seems to lack adequate capacity to meet all the monitoring requirements for anti-corruption and rule of law efforts due to a large number of international obligations such as those requirements put forth by the membership to the Council of Europe, EC Feasibility Study, SPAI, etc.

Finally, given the leading role of the international community in the rule of law area, local institutions, and especially those that have been newly created may lack sufficient capacity to participate in monitoring and implementing anti-corruption policies. Their ownership of and the full participation in the anti-corruption efforts is key to their success, but the lack of political, financial and institutional capacity may impede and slow down the implementation of the strategy.

Given the findings of the PACO Impact mission and the recommendations of GRECO evaluation report and the EU Commission's Third Annual Report on Stabilization and Association process in Southeast Europe, as well as the feedback of the government bodies and other institutions involved, PACO Impact would consider the following:

Main Goal: Consolidation and coordination of the monitoring and the implementation of a comprehensive Anti-corruption plan; support the implementation of the Anti-corruption plan.

Expected actions: Improve and coordinate actions related to the review and monitoring of Anti-corruption plan; consolidate and comprehensively measure anti – corruption actions; strengthen monitoring and managing mechanisms and provision the inclusion of measurable indicators of success in the action plan.

Initiate and support establishment of Anti-corruption and Monitoring Commission propose/initiate and participate in drafting of all necessary and appropriate regulations e.g. laws and by law-acts in order to accelerate establishment of final legal framework for successful monitoring and fighting against corruption.

Influence the all-relevant BiH institutions related to signatory/ratification of appropriate European, UN and OECD conventions that govern issues of corruption.

### 4.3 Croatia

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#### 4.3.1 Background

Republic of Croatia has come along way since the war in the early 1990s that displaced a large number of people and left deep social, political, and economic consequences. Nevertheless, Croatia has gone the farthest in adopting reforms required for European integration since October 2001 when the Stabilization and Association Agreement was signed. It has demonstrated continuous political commitment and has undertaken structural legal, institutional, and economic reforms since then.

Such a positive progress has been acknowledged by a positive response of the European Commission to Croatia's application for a candidate country status. Now that this status is granted (June 2004), Croatia has become eligible for EU structural assistance that will further intensify institutional and other reforms, but will also put a further strain on its institutions and economy to perform in line with the recent changes and the required standards.

In April 2004, the European Commission issued an Opinion on Croatia's Application for Membership of the European Union comprehensively assessing Croatia's institutional, legal, and economic performance, noting significant achievements and offering directions for further improvement. According to the Opinion, the coming phase will need to largely focus on further refinement of the legislative framework in terms of their horizontal integration as well as in terms of deeper institutional adjustments to ensure full enforcement of recent reforms.

First GRECO evaluation from 2002 recommended to Croatia to: increase measurement and monitoring of corruption within law enforcement agencies, the judiciary and the prosecutor's services; introduce appropriate internal control mechanism; quantify and qualify corruption as a phenomenon in Croatian society; improve the implementation and monitoring of the national anti – corruption program; strengthen the National Office for the Prevention of Corruption and Organized Crime; take appropriate measures to protect "whistleblowers" in corruption cases; take measures to educate civil servants and the public about corruption; adopt clear and transparent rules for dealing with immunity of public officials. Some of the recommendations have been adopted by December 2003, such as adopting a plan for comprehensive judicial reform and introducing measures for protecting "whistleblowers" in corruption cases, but many still remain to be addressed.



The European Commission's Opinion reviews outstanding issues in the area concerning Justice and Home Affairs according to which Croatia is expected to improve its judiciary and law enforcement agencies to more effectively repress serious crime and corruption. In addition to this, Croatia is also expected to put efforts into devising preventive measures against corruption especially in the area of internal supervision and accountability within law enforcement agencies and public procurement, and raise public awareness about harmfulness of corruption.

#### 4.3.2 Relevant international treaties/instruments

CoE Instruments	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime CETS No.: 141	6/11/1996	11/10/1997	1/2/1998				X			
Criminal Law Convention on Corruption CETS No.: 173	15/9/1999	8/11/2000	1/7/2002				X			
Civil Law Convention on Corruption CETS No.: 174	2/10/2001	5/6/2003	1/11/2003							
Additional Protocol to the Criminal Law Convention on Corruption CETS No.: 191	17/9/2003									
GRECO Accession	2/12/2000	First Evaluation Round: 3-7/12/2001								
UN Convention against Corruption	10/12/2003									

#### 4.3.3 Relevant domestic legislation

**Criminal law and law on criminal procedure** have been changed in line with the EU and international standards and recommendations, and conventions Croatia recently signed.

**Comprehensive judicial and court reform:** A strategic plan has been created in 2002 and an operational plan adopted in July 2003 to address systemic weaknesses.

**Prosecutorial Services:** Croatia has established specialised prosecutors system through the Office for the Prevention of Corruption and Organized Crime (USKOK) to fight corruption and organized crime. The Office has been operating for several years.

The **Department for Economic Crime and Corruption** at the Ministry of Interior is envisaged and structured currently to conduct specialised investigation of corruption and organised crime offences in close cooperation with USKOK.

**Conflict of Interest Law** was passed in September 2003.

**Law on the Right to Access Information** (Public Information Law) was passed in October 2003.

**The Law on the Financing of Political Parties** has yet to be adopted.

#### **4.3.4 Relevant anti-corruption services**

Croatia has taken several measures to fight corruption: it has adopted an **anti-corruption program** and an **action plan** which dates in 2002; it has established a specialized prosecutor's office to prosecute corruption and organized crime (USKOK) and a specialized police department to investigate those crimes; and has adopted numerous legal tools that criminalize corruption and allow a more efficient prosecution.

The 2002 anti-corruption program is largely a narrative document that does not contain a matrix of an action plan that would allow comprehensive overview of the actions planned. Although much of the anti-corruption program has been implemented, it remains to be clarified to what extent this document has been inclusive of broader societal goals and of views from other stakeholders such as NGOs, business associations, and other civil society representatives. It seem that the initial phase in implementing the program has been successfully completed, while the outstanding issues as per GRECO and EC recommendations still need to be dealt with in near future.

Also, despite the successes in implementing the program, these achievements have not been properly noted and counted for as being completed (basically there is no update of the program noting priorities in regular periodical system). Although anti-corruption actions are in essence multidisciplinary and their implementation involves collaboration of several ministries and bodies, it seems that the horizontal integration (coordination, feedback between different institutions, and timing of comprehensive actions targeting several sectors or institutions) is lacking. A permanent body, **a Parliamentary Commission** as originally planned in this case, which would perform some of these tasks and monitor the implementation of the program, has not been established yet. Because of this, the achievement accomplished in the past two years were not accounted for, nor were adequately presented as such to the public, the Parliament, and other stakeholders in anti-corruption reforms.

In the meantime **USKOK** has been operating for several years and has primarily focused on repressing corruption. Although the law on USKOK envisages a department that would focus on public education and prevention of corruption, which has not been established yet. This may change in the near future (since the USKOK law is undergoing though a review for some necessary amendments), in which case USKOK would be able to use its experience in repressing corruption for purposes of education and for devising and suggesting preventive measures to the government.

In addition, under the leadership of the Ministry of Interior, a free-of-charge phone line in 2001 to which citizens could report about crime including corruption was established. The majority of phone calls were not substantive enough to warrant an investigation or were concerning issues of administrative nature and civil legal process rather than crime. In three years the number of phone calls halved. A possible explanation that was offered concerns the fact that citizens are ill-informed about the nature and the characteristics of corruption as a criminal offence. Croatian authorities are currently exploring setting up a call service which would give citizen advice on where and how to place their complaints against administrative silence and corruption, rather than only taking in a tip without providing a feedback information.

In terms of civil society activities, Croatia has its own **Transparency International chapter** and several other NGOs, such as the **Partnership for Social Development** that are active in anti – corruption arena. TI Croatia has been focusing on access to public information, responsiveness of public administration, and is planning to open a Public Advisory Centre to offer advice to citizens on how to fight and prevent corruption.

According to the European Commission's Opinion, Croatian authorities need to make progress in the following areas: more active prosecution of corruption cases; further refinement of legal tools regarding

fraud, active and passive corruption, and corporate liability; and establish internal anti-corruption measures in law enforcement agencies such as police, border police, customs and the judiciary.

#### **4.3.5 Other existing institutions and mechanisms in place**

**Ombudsman:** It has been in existence for some time.

**Public procurement law:** The law has been in force for some time, largely in line with EU practices and standards. Broad exemptions in terms of consistent and full implementation of this law, however, are still applied. Public Procurement Office established in November 2003 and Public Procurement Commission that deals with complaints and review procedures.

**State Audit Office:** The Office has been in existence for some time.

#### **4.3.6 Project orientation**

The desire and commitment to meet the requirements of European Commission and increase a pace of legal reforms affect the process of change in the following manner: horizontal integration of the reforms that would connect different ministries and agencies, help them coordinate and exchange information about planned actions, and better allocate human and other resources seems to be lacking.

Secondly, it seems that the current reforms are primarily driven by the government. Given the multidisciplinary and inter-agency nature of successful anti-corruption reforms that require participation of different stakeholders including both the government and NGO and civil society sector to ensure legitimacy and wide public support, it remains unclear to what extent has this approach been taken in Croatia. More inclusive debates and consultation on improving anti-corruption program and public discussions on proposed reforms could help educate the public, the law makers, and other stakeholders and achieve broader societal consensus and support for the reforms. The absence of such a process may add to the difficulties in the implementation and to the lack of institutionalised knowledge of the substance of anti-corruption reforms.

Given the findings of the PACO Impact mission and the recommendations of GRECO report and the European Commission's Opinion on Croatia's Application for Membership of the European Union, as well as feedback of the government bodies and other institutions involved, PACO Impact would consider the following:

Main Goal: Review and adjust (update) national anti-corruption program; assist in creating an action plan matrix identifying measurable anti-corruption actions and indicators of success; improve preventive anti-corruption capacities including public awareness and education of civil servants and public officials.

Expected actions: Initiate the establishment of a clear anti-corruption strategy and its action plan; consolidate comprehensive measurable anti-corruption actions; strengthen the respective monitoring and managing mechanisms as provided by law; assist law enforcement agencies in strengthening their capacities to investigate and repress corruption related offences, increase the public awareness campaign capacities as provided by law.

#### 4.4 “The former Yugoslav Republic of Macedonia”

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##### 4.4.1 Background

“The former Yugoslav Republic of Macedonia” has successfully managed to maintain political security since the signing of the Ohrid Agreement and has clearly demonstrated its political commitment to EU integration since it signed the Stabilization and Association Agreement with the European Commission. According to the EU Commission’s Third Annual Report on Stabilization and Association process in Southeast Europe from 2004, the main challenge lies in sustaining the reforms while facing slow economic growth, high unemployment, and other difficulties. Much still remains to be done in the area of decentralization, reform of security forces, good governance and the rule of law, all of which emphasise the importance of reforming the public administration and increasing its capacities to implement the planned reforms. According to the government authorities, comprehensive reforms including but not limited to public administration, prosecutors’ service, and the judiciary are planned to continue in 2005.

In addition to this, the GRECO evaluation took place for the first time at the end of 2002. The seventeen recommendations of the first GRECO evaluation report address the needed for improvement in the following areas: accountability and transparency in the public administration; public education; prevention and training; legal and institutional framework that allows corruption to be investigated and prosecuted; appointments of judges and prosecutors; public procurement; and limited immunity for public and elected officials.

As per the information received during the “start-up” activities, there has only been one corruption survey from July 2003, conducted with help of USAID, which focuses on private sector’ attitude towards corruption as well as other relevant issues.

#### 4.4.2 Relevant international treaties/instruments

CoE Instruments	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime CETS No.: 141	14/12/1999	19/5/2000	1/9/2000				X			
Criminal Law Convention on Corruption CETS No.: 173	28/7/1999	28/7/1999	1/7/2002							
Civil Law Convention on Corruption CETS No.: 174	8/6/2000	29/11/2002	1/11/2003							
Additional Protocol to the Criminal Law Convention on Corruption CETS No.: 191	15/5/2003									
GRECO Accession	7/10/2000	First Evaluation Round: 18-21/03/2002 Compatibility report to be finalised by July 2004 GRECO Plenary Session: TBC								
UN Convention against Corruption										

#### 4.4.3 Relevant domestic legislation

**Criminal law and law on criminal procedure** have been currently changed so to comply with international conventions that have been recently signed. For example, new criminal law criminalizes acquiring disproportionate income unmatched by the declared income; introduces corporate liability; allows urgent (shortened) criminal procedure and confiscation of the proceeds from crime; and gives prosecutors more authority. The new criminal procedure law has been adopted recently by the parliament in the month of July 2004.

**The Law on Public Prosecutors (June 2004)** focuses on organized crime and corruption, and provides certain provisions envisaged under the ratified 2<sup>nd</sup> Protocol on Mutual Legal Assistance. The establishment of a special department within the Public Prosecutor's Office specialized in combating organized crime is envisioned for early Fall 2004.

**Financing of political parties** – A draft law has been proposed, but does not include financing of political campaigns. A 3<sup>rd</sup> reading on political party financing law is planned for October 2004. These reviews have been supported and provided through the Council of Europe/PACO assistance and experts in cooperation with OSCE and IFES.

**Conflict of Interest Law** has not been passed yet and the existing draft needs further refinement and elaboration in the area of codes of ethics.

**The Law on Witness Protection** is still undergoing its drafting procedure and currently being reviewed by Council of Europe experts.

**Declarations' of Assets** provisions are also in force. The Public Revenue Office is in charge of enforcing the provisions. Although the Office is supposed to check the declarations, it lacks links with other local units, which makes the tracing of declared property or other incomes difficult.

**Civil Service Law** has been newly introduced and the respective agency for its monitoring is the Civil Service Agency which conducts reviews and monitors also the public administration reform.

#### **4.4.4 Relevant anti-corruption services**

The **State Programme for Prevention and Repression of Corruption** has been adopted for the first time in June 2003. The document and its enclosed action plan (matrix) seems quite comprehensive and broadly address reforms covering the rule of law area, political system, public administration, judicial system, economy and finance sector, and civil sector, media and the international community. In June 2004 the State Programme for Prevention and repression of corruption was reviewed and assessed by all line ministries and institutions under the leadership of the **Anti-Corruption State Commission**, which *inter alia* is in charge of its monitoring and reporting. A report addressing issues of concern and recommending improvements is now available. It should be noted that this activity was supported and assisted through PACO Impact project inputs.

The Anti-Corruption Commission has been established as provided by the Anti-corruption Law and as envisioned in the strategy. The Commission is an independent body, financed directly from the state budget and reports annually to the Parliament. It has seven members who are senior experts with legal, economic and judicial background, who work on non-permanent basis, and five staff members (full time secretariat). More in depth details can be found in the first **Annual Report dated December 2003**.

The Commission has several roles:

##### Advisory role

To advise government on anti-corruption policy (suggest improvements on the existing mechanism and propose new ones); and

To propose regulative and legislative changes targeting opportunities for corruption resulting from investigations based on public complaints.

##### Investigative

It can investigate cases, but has no power to compel public official to public hearing or institutions to submit document. In other words, it does not have full investigative powers, but instead relies on good faith and voluntary collaboration of other government institutions; and

To stimulate the work of other state institutions such as public attorney, public revenue office, customs office, state auditor, ministries, and stock exchange, to fulfil their legal obligations.

It forwards those cases that indicate criminal offence to the police and the prosecutors

##### Preventive and educational

It participates in local community workshops involving NGOs, citizens, university students, the media, etc., in order to raise public awareness and campaign on anti-corruption issues.

It maintains international links with other anti-corruption agencies, such as those with anti-corruption services in Albania, Bulgaria, Romania, and Serbia and Montenegro.

The Commission has so far focused on the following corruption issues: abuse in privatisation; conflict of interest; property denationalisation; inefficiency of the public administration and the judiciary; concluding and signing public contracts in bad faith, etc.

By a proposal of the Commission in June 2004 the following legislative changes have been undertaken: proposed amendments to the Anti-Corruption Law according to which the Commission has become a full legal entity with full-time membership/employees, and with an improved monitoring capacity. In addition, the amendments also suggest that assets be declared before and after the mandate to the public revenue office by using a comprehensive form for declaring assets.

Other proposed legal changes involve amendments to the bankruptcy law as well as other financial control mechanisms that address violations of declaring bankruptcy when there are different tax evasions and other obligations, by way of giving more protection to the creditors. Finally, proposed amendments to the law on financing the political parties and electoral campaigns with a requirement that political parties submit a report to the Parliament after the elections rather than to the Board of the political party.

Self-declared focus of the Commission would in the future address opportunities/preventive measures for corruption in:

- Abuse of contractual work for the public sector whereby no work is done and the payment is dispensed;
- Construction permits;
- Public procurement in health sector;
- Restitution;
- Local Government; and
- Other issues subject to the content of Anti-corruption Programme.

Nevertheless, the Commission lacks the capacity to create regular analytical reports that involve their research methodology and the analysis of legal and institutional failure that offers opportunities for corruption in any given sector. Such reports would not only serve to preserve institutional knowledge of the Commission but would also serve as tools for public education on corruption for citizen, students and members of civil society. Further to this, the Commission also lacks capacity to publicize its annual report either on their web site or in hard copies, and widely dissemination its publications.

#### **4.4.5 Other existing instruments and mechanisms in place**

**Codes of ethic for the judiciary** are also in place, but the disciplinary procedures seem to lack effectiveness.

**Department of Money Laundering** at the Ministry of Finance has recently become operational.

The Public Administration has adopted its **Code of Ethics**.

**State General Auditing Office** has been in place since 1998.

In addition to the Commission, there is now also the national **TI Chapter**.

#### **4.4.6 Project orientation**

The desire and commitment to increase a pace of legal reforms affect the process of change by reducing in-depth understanding necessary for a successful implementation and sustainable reforms. More inclusive debates on proposed reforms that could help educate the public, the lawmakers, and other stakeholders and achieve broader societal consensus over the reforms are often missing. Such a method adds to the difficulties in the implementation and to the lack of institutionalised knowledge of the substance of legal reform.

Secondly, there is a danger of overlap in monitoring anti-corruption related projects and donor assistance in this area between the Commission and EU Integration Department of the government. It is challenging to monitor anti-corruption projects/reforms since the codification is complex and is broadly defined and target many institutions and sectors at the same time. This in turn may undermine both monitoring and the implementation by failing to fine-tune anti-corruption policies to address specific problems and/or failing to spot and declare successes in repressive and preventive aspects of fighting corruption.

International good practices of monitoring and evaluating success in the implementation of the anti-corruption strategy to insure continuous improvement will be called upon. Also, a research-based policy-making method employed by the Commission may offer a good example for other countries to follow.

Given the findings of the PACO Impact mission, the recommendations of GRECO report and the EU Commission's Third Annual Report on Stabilization and Association process in Southeast Europe, as well as feedback of the government bodies and other institutions involved, PACO Impact would consider the following:

Main Goal: Streamlining and consolidation of the Anti-Corruption Programme and its matrix of actions, strengthen its monitoring and implementation. Increase the capacities of the Commission to better perform its educational and preventive role, and preserve its institutional knowledge through comprehensive reporting and training tools.

Expected actions: Improve (simplify) Anti-Corruption Programme and its analytical structure; consolidate comprehensive measurable anti-corruption actions; strengthen monitoring and managing capacities of the Commission and assist in the inclusion of measurable indicators of success in the Anti-corruption plan; production and publication of the Commissions findings and recommendations.

#### 4.5 Kosovo (Serbia and Montenegro)

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#### 4.5.1 Background

Since 1999, Kosovo (Serbia and Montenegro) has been under the interim administration of UNMIK, established by the UN Security Council's resolution 1244 (1999), which identified particular tasks and the necessary operational framework.

Since 1999, Kosovo has achieved a notable progress in political stability and institutional development under the close guidance and assistance of UNMIK. Unfortunately, the violence in March 2004 proved to be a set back for the progress achieved thus far. Kosovo presently faces many of the problems of transition and building democratic governance institutions able to exercise tolerance and respect for minority's rights, as other sovereign countries in the region face. In addition, economic underdevelopment, de-industrialization and a high unemployment rate are serious problems that Kosovo authorities have to deal with.

Kosovo economy largely rests on small private companies and cash remittances from abroad, not on large industrial socially owned enterprises. Moreover, the status of property rights needs still to be well-defined: privatisation is planned but slowly forthcoming because UNMIK, a sole authority over the socially owned property and public companies in Kosovo, has postponed the privatisation to avoid legal disputes over property rights. In such a context, socially owned enterprises are a subject to misuse and devaluation (assets stripping) by management. This is providing opportunities not only for corrupt activities in the competition over the allocation of valuable real estate and land resources, but also diminishes the collection of public revenue.

In the absence of legal means of employment and poverty, illegal trade and crime may seem a viable option to a significant number of people, while competition for scarce public resources and revenue may exacerbate undue influence on public institutions and undermine achievements that Kosovo institutions made so far. This is why only a sustainable economic development and proper definition of property rights will be able to deliver goals desired by the majority of Kosovars and help make anti-corruption efforts sustainable. The Kosovo Provisional Authorities of Self-Governance (PISG) which carries a number of "transferred powers" by UNMIK while the last one still maintains the "reserved powers" might thus be motivated to push for challenging reforms as well as to demonstrate their governing capacity in the wake of the decision.

#### 4.5.2 Relevant domestic legislation

Since 1999 Kosovo has been administered by UNMIK established by the **United Nations Security Council's resolution 1244 (1999)**, which identifies the current status and framework, which are the basis for all legislative and policy initiatives in Kosovo.

The later **Constitutional Framework for Provisional Self-Government** sets the division of powers between UNMIK and the Kosovo Provisional Authority, therefore provides the basis and procedures for legislative reforms and law enforcement in Kosovo.

It should be mentioned that the majority of legislative and executive powers pertinent to the implementation of the PACO Impact project, namely legislative and executive in justice and governance sectors, fall within so called reserved powers of UNMIK.

The provisional **Criminal Code** and the **Criminal Procedure Code** of Kosovo have been in force since April 2004. Both codes have been drafted in line with international and European standards through the technical assistance of UNMIK and Council of Europe.

The regulation of **Money Laundering** provisions has been introduced through UNMIK Regulation 2004/2. The **Anti Money Laundering Office** is in its initial stage of set up and is foreseen to start operating by September 2004.

**Law on Access to Official Documents** was promulgated in November 2003 by UNMIK regulation. This Regulation will enable citizens of Kosovo to participate more closely in the decision making process of public institutions and guaranteeing that the public institutions enjoy greater legitimacy, transparency and are more accountable to the citizens of Kosovo.

#### 4.5.3 Relevant anti-corruption services

Currently, the tasks of advising the PISG (the Office of the Prime Minister of Kosovo) and the providing of institutional support with reference to the fight against corruption under the Constitutional Framework for Provisional Self Government fall under the Advisory Office for Good Governances, Human Rights, and Equal Opportunities and Gender Issues (OGG).

Since 2002 the OGG (with the assistance and support from the Council of Europe) has initiated the establishment of an inter-ministerial group, which has led the drafting of the following important documents:

- **Advisory Anti-corruption Paper of the Government of Kosovo** (endorsed in early 2003);
- **Anti-corruption Strategy for Kosovo** (enforced in April 2004)

Both these two documents are now the basis for initiating institutional reform into preparing the Anti-corruption Plan and Anti-corruption Agency for Kosovo. Also, the need for introducing a Law on the Anti-corruption for Kosovo has been under discussion since the end of 2003. Through discussions with main stakeholders in Kosovo, it is foreseen that such law *could* enable the establishment of the Anti-Corruption agency for Kosovo in charge of policy advice, monitoring and reporting of anti-corruption measures.

#### 4.5.4 Other existing institutions and mechanisms in place

Under the Police and Justice Affairs UNMIK Pillar the most relevant anti-corruption (law enforcement nature) body in Kosovo is the **Financial Investigation Unit** (FIU) which is currently composed of 10 staff members from the Guardia di Finanza (Italy).

**Public Procurement Law** has been passed by Assembly and promulgated by UNMIK and entered into force on June 2004. The Assembly of Kosovo is now seeking the appointment of the members of Public Procurement Regulatory Commission and Public Procurement Agency. These bodies are responsible for overall monitoring of procurement processes, and implementing high and complex procedures. The law is fully based and in line with EU and international standards and practices of public procurement.

**Audit Office** has been created by the UNMIK Regulation in 2002, which provisions the establishment of the Office of the **Auditor General of Kosovo** and the **Audit Office of Kosovo**. The Office of the Auditor General of Kosovo and the Audit Office of Kosovo is aimed at promoting high standards of transparency, accountability, and integrity in the financial management and performance of public administration in Kosovo. The Audit Office of Kosovo is in the stage of development of its capacities including personnel and auditors. The auditors are in final training completion phase for taking over their responsibilities on audit performance, which is supposed to happen during the year 2005.

#### 4.5.5 Project orientation

There are several issues of concern linked with the UNMIK's reserved powers covering the preventive and repressive measures against corruption and organized crime. Such an arrangement possesses a challenge in adequately addressing and contributing to preventive measures against corruption in the short and medium term.

A public discussion about corruption as crime should be approached with caution in order to avoid adverse effects by undermining the public trust in the value of political participation and a democratic process in decision-making.

**Main Goal:** Support the drafting and then implementation of a new Anti-corruption plan for Kosovo, by supporting the institutional building of an opted anti-corruption agency, and its legal framework.

**Expected actions:** Initiate, develop, strengthen and implement the Anti-corruption Plan for Kosovo based on the newly introduced Anti-corruption Strategy. Assist and support the creation of anti-corruption mechanisms in Kosovo and their legal framework, which will ensure monitoring and reporting as well as provide the policy advice with respect to anti-corruption efforts in Kosovo. Support the current working Group by training and office equipment in order to increase their capacities and enable them to independently embrace anti-corruption reforms in Kosovo.

## 4.6 Montenegro (Serbia and Montenegro)

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### 4.6.1 Background

The Republic of Montenegro is a part of the union of Serbia and Montenegro. Since the early 1990s, Montenegro has been ruled by a majority government, currently lead by Mr. Milo Djukanovic, which has declared its commitment to EU integration as a way forward.

Montenegro is undergoing the process of devising more comprehensive reforms of its legislative and institutional framework in accordance with European and international standards and practices. These reforms require a full commitment of all political actors and wide public support. Currently, however, some opposition parties refuse to fully participate in the political process leaving decisions to the governing parties, adding to the complexity of reforms, which require full support and legitimacy. In terms of economic reforms, Montenegro has started with privatisation process where tourist sector seem to be the most promising and the most attractive to foreign investors. As many other countries in the region, Montenegro is facing issues of slow economic recovery, unemployment, and loss of public revenue to informal sector.

Montenegro, together with Serbia, has declared European integration as their long-term goal. Serbia and Montenegro has thus been a subject to European Commission evaluation regarding the eventual signing of a Stabilization and Association Agreement (SAp). The planned Feasibility Study that looks into the possibility for opening negotiation for SAp has been postponed for now in order to give the authorities more time to address key issues in the area of economic and political conditions, an overall functioning of the State Union (institutions of Serbia and Montenegro), and other sectoral reforms.

As per the information received during the mission, no major corruption surveys conducted by the public institutions have been carried in Montenegro. However, six different surveys on corruption in Montenegro were completed by the NGOs "Group for Changes" and "Centre for Transition."

**4.6.2 Relevant international treaties/instruments (Serbia and Montenegro)**

CoE Instruments	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime CETS No.: 141	9/10/2003	9/10/2003	1/2/2004		X		X			
Criminal Law Convention on Corruption CETS No.: 173		18/12/2002 a	1/4/2003		X					
Civil Law Convention on Corruption CETS No.: 174										
Additional Protocol to the Criminal Law Convention on Corruption CETS No.: 191										
S&M GRECO Accession	1/04/2003	First Evaluation Round: Not yet								
UN Convention against Corruption	11/12/2003									

**4.6.3 Relevant domestic legislation**

Montenegro has so far focused on repressive aspects of fighting corruption: criminal law, law enforcement, prosecutors, and the judiciary. The authorities have recently changed criminal legislation so to include provisions on organized crime, SIMs, witness protection, money laundering, and trafficking related offences; established special police units to investigate organized and economic crime and corruption.

**Criminal Code and Criminal Procedure Code** have been adopted by the Parliament in December 2003, and entered into force in April 2004.

**Police law** has been drafted and is soon to be adopted. The law will include some internal control capacity such as creating a dossier for each policeman based on regular evaluation and supervision. Also, Police Academy is soon to adopt a new curriculum on policing.

**The new Law on Public Prosecutor**, which comprises provisions on establishing and appointment of the Special Prosecutor for Organized Crime was adopted in December 2003. The Special Prosecutor was appointed in early July 2004.

**Law on Conflict of Interest** was passed by the Parliament and entered into force in June 2004. This law covers also the issues of the **Declaration of Assets**, which requires the establishment of a controlling system in order to be enforced, and which is yet to be created.

**Law on Preventing Money Laundering** was adopted in September 2003.

**Law on Financing of Political Parties and Electoral Campaigns** has been in force since March 2004.

**Draft Law on Free Access to Information** has been drafted but is not yet passed by the parliament.

#### 4.6.4 Relevant anti-corruption services

Montenegro's government (Ministry of Interior) has prepared since year 2003 an **Anti-corruption and organised crime programme** that has yet to be adopted. Accordingly, a specific action plan to accompany the Programme, set goals and an implementation schedule, has yet to be prepared.

**Anti-corruption Initiative Agency (ACIA)** is in charge of monitoring certain Anti-corruption measures, as well as to provide anti-corruption policy advises to the government especially with respect to the legislative initiatives. The ACIA, comprised of only five staff members, does not have any investigative power. Rather, its main role so far has been in drafting an anti-corruption law and a strategy, and advising government on anti- corruption initiatives.

The law which established the ACIA also foresaw the creation of a National AC Commission as a multi-institutional body *to monitor, coordinate, and report on* the Anti-corruption programme (once endorsed by the government) and measures taken by all institutions. This body does not yet exist. Once it is in place, the ACIA is expected to serve as its Secretariat. PACO Impact supports the ACIA but will also support the creation of the Commission.

#### 4.6.5 Other existing institutions and mechanisms in place

**The Special Prosecutors Office** in charge of prosecuting organized and economic crime has been created, and the Special Prosecutor was recently appointed.

The Ministry of Interior has already established the **Department of the Prevention of Organised Crime**. In addition the this Ministry has been working on the establishment of some **specialized investigators/units for investigating corruption**, but they need a specialised training on investigating corruption and have expressed interest in comparative data on the experience of other countries in dealing with corruption cases (e.g., passive and active bribery), as well as comparative data on internal control in the police forces.

#### 4.6.6 Project orientation

First, it seems that the current process of drafting the anti-corruption programme (which is currently a part of the Draft Programme on the fight against organised crime and corruption) had not been fully providing the inclusion of all relevant stakeholders, such as civil society and business community. This is important because then the implementation of anti-corruption reforms will require a wide spread support and legitimacy.

Secondly, despite a wide spread concern about corruption in Montenegro, additional corruption surveys have to be undertaken, which should give a clear indication of where corruption is most likely to occur and in what manner helps direct anti-corruption policy to achieve strongest effect. Otherwise, misplaced and non-substantive anti-corruption policies will not make a positive impact. On the contrary, they will work to undermine legitimacy and public trust in the political commitment to fight corruption. It would thus be useful to quantify and qualify the problem of corruption for the sake of a more effective implementation of the programme on anti-corruption and organised crime.

Thirdly, a desire and commitment to increase a pace of legal reforms affect the process of change by reducing in-depth a successful implementation and sustainable reforms. More inclusive debates on proposed reforms that could help educate the public, the lawmakers, and other stakeholders and achieve broader societal consensus over the reforms are advised to take place and be part of project inputs despite their emergency.

Finally, recent changes of the prosecutor's services have devolved jurisdiction over corruption and economic crime such as tax and customs evasion, which is alleged to be one of the main sources of political corruption, to thirteen basic prosecutors (first instance). Therefore, assistance and support to the first instance/basic prosecutors on specialised expertise and equipment to investigate complex cases is necessary to be provided through the project. In addition to this, first instance prosecutors seem to most vulnerable to pressure and undue influence when investigating corruption. Thus, other relevant international practices concerning preventive and control mechanisms within the judiciary, law enforcement, and legislative and executive powers need to be considered during the course of the implementation of the PACO-Impact Project.

**Main Goal:** Capacity building in drafting, monitoring, and coordinating anti-corruption programme and an action plan. Also, ensure capacity building in applying preventive corruption measures such as public education and debates, and other targeted workshops to increase substantive understanding of both repressive and preventive anti-corruption reforms carried out by ACIA while reported and monitored by the National Anti-corruption Commission (NAC).

**Expected actions:** Improved (and separate) Anti-Corruption Programme and draft action plan with comprehensive and measurable anti-corruption actions; support ACIA and establishment of NAC by strengthening their monitoring and managing capacities while providing the and inclusion of measurable indicators of success in the action plan; increasing policy and reform advising capacities, support institutional memory and information, as well as support production and publication of anti-corruption programme and its action plan.

#### 4.7 Serbia (Serbia and Montenegro)

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##### 4.7.1 Background

The Republic of Serbia is a part of the union of Serbia and Montenegro. The ruling coalition that was lead by late Prime Minister Djindjic has since the assassination been replaced by another precarious coalition of political parties whose outlook on reforms, be those in the rule of law area or economic area differ. However, the now results of the recent presidential elections in combination with the coming local and then parliamentary election later this year will affect the composition of the ruling coalition, and will determine pace and nature of the reforms.

Serbia is only at a very start of devising more comprehensive reforms of its legislative and institutional framework in the rule of law area in accordance with European and international standards and practices. These reforms require a full commitment of all political actors and a wide public support. Given the coming elections and political uncertainty associated with them, the direction of several crucial reforms for the next four years will be determined by the outcome of those elections. Meanwhile, as many other countries in the region Serbia is going through an economic transition process involving challenges of privatisation, problems of slow economic recovery after the sanctions, unemployment, and loss of public revenue to informal sector.

Serbia, together with Montenegro, has declared European integration as their long-term goal. Serbia and Montenegro has thus been a subject to European Commission evaluation regarding the eventual signing of a Stabilization and Association Agreement (SAP). The planned Feasibility Study that looks into the possibility for opening negotiation for SAP has been postponed for now in order to give the authorities more time to address key issues in the area of economic and political conditions, an overall functioning of the State Union (institutions of Serbia and Montenegro), and other sectoral reforms.

#### 4.7.2 Relevant international treaties/instruments (Serbia and Montenegro)

CoE Instruments	Signature	Ratification	Entry into force	Notes	R.	D.	A.	T.	C.	O.
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime CETS No.: 141	9/10/2003	9/10/2003	1/2/2004		X		X			
Criminal Law Convention on Corruption CETS No.: 173		18/12/2002 a	1/4/2003		X					
Civil Law Convention on Corruption CETS No.: 174										
Additional Protocol to the Criminal Law Convention on Corruption CETS No.: 191										
S&M GRECO Accession	1/04/2003	First Evaluation Round: Not yet								
UN Convention against Corruption	11/12/2003									

#### 4.7.3 Relevant domestic legislation

A government appointed working group is currently reviewing and redrafting **Criminal law and Criminal Procedure Code**. The new laws are expected to be in line with provisions prescribed by Council of Europe and UN conventions on corruption and organized crime that recently have been signed.

**The Special Prosecutors Office** has been established in order to deal with organized crime cases. The Office does not deal with economic crime and corruption.

**Conflict of Interest law** is in force since April 2004. The law also prescribes declaration of assets for high and public officials. Provisions on the establishment of a body to monitor and enforce this law are currently being drafted. There is delay in the implementation of this new law due to the fact that the controlling body has not been appointed yet.

**The Law on the Funding of Political Parties** has been in force since January 1<sup>st</sup> 2004. However, its implementation is currently facing serious problems, due to the unclear provisions, misinterpretations and the weaknesses of the monitoring mechanisms.

**The Law on Public Procurement** has been in force since 2002. The implementation of this law has led to certain results in saving of budget funds, although protection of bidders' rights mechanism (the most effective tool of control) is still facing serious obstacles.

**The Law on the Access to Public Information** has been recently drafted, however there are still certain queries whether the law is in line with CoE standards.

A comprehensive judicial and prosecutorial reform is not finished yet.

#### **4.7.4 Relevant anti-corruption services**

There is no finalized and institutionalized anti-corruption strategy and an action plan for Serbia. There is, however, the **Anti-corruption Council**. The Council has been created since October 2001, several days after the fall of Milosevic's regime, by a government decision which defines its main role as advisory: to offer proposals for preventive and repressive anti-corruption measures to the Government and follow up their implementation. The idea behind setting up the Council right after the change of the regime was to provide a channel for NGOs and civil society to have their voices heard in the government, and provide policy advice with respect to government actions when preventing and combating corruption.

In 2002 an **Anti-corruption Office** within the Ministry of Finance and Economy has been initially responsible for day-to-day coordination of anti-corruption activities, the preparation of legal and some policy proposals with respect to certain preventive measures. In April 2004 the Anti-corruption Office at this Ministry **ceased to exist**. Some of the employees are now employed at the ACC.

In 2002 there has been an attempt by the Serbian authorities to establish **Anti-corruption teams**, comprised of police officers and prosecutors in 26 cities in Serbia. In some of the cities the teams were and are operational as a part of the regular police units, while in others such an attempt never became a reality.

The Anti-corruption Council (ACC) has now five full time *employees* and fifteen *members* nominated by the government who are a mixture of independent experts and government officials or civil servants within the government. The members do not have a full time appointment with the Anti-corruption Council.

Since 2001, the ACC has been able to provide proposals on legislative changes on important pieces of legislation such as financing of political parties, conflict of interest, and public procurement. The ACC has also published **a report** in March 2004 covering their activities and investigations in the past three years by covering the following issues: abuse of powers during the privatization process; financing of political parties; abuses in bankruptcy and liquidation of state owned companies; issues related to public education and awareness raising on the link between governance and corruption; and abuses of EC's preferential treatment of Serbia's sugar industry. The ACC reports and other information are available at their website: [www.antikorupcija-savet.sr.gov.yu](http://www.antikorupcija-savet.sr.gov.yu).

The findings of the ACC when handling these cases are based on reports starting from citizens' complaints, half of which concern abuses and violations on the privatization related cases, and some other sources of information. The ACC focuses on systemic failures that provide opportunities for corruption rather than on individual cases. If relevant (i.e., not anonymous and well substantiated), the ACC refers a citizen's complaint to a responsible institution and then follows up the process.

The ACC also regularly communicates with the public to report their findings; participates in workshops; and exchanges experience with other anti-corruption agencies in the region and internationally, such as with Lithuania. The ACC currently focuses on the following issues and sectors: privatization, construction, and public administration.

#### **4.7.5 Other existing institutions and mechanisms in place**



**The Law on Public Procurement** is in force now and the **Agency for Public Procurement** is the body in charge of enforcing this law.

**Police** forces have specialised policemen/units, which focus on economic crime and also cover corruption related offences.

**Transparency International Serbia Chapter** is also active in the anti-corruption arena. The TI Chapter has recently published a translation of the TI's Source Book that offers best practices in preventing corruption and advocates for approach of National Integrity System as a basis for development of National anticorruption strategy. TIS is particularly active in the following fields: conflict of interest, free access to public information, political party financing and public procurement – dealing in areas of public awareness raising, training, monitoring, assessing of legal framework and proposing the reform measures. The TI Chapter cooperates vividly with other Chapters from Balkan region and wider (e.g. Slovakia). Further details can be found at [www.transparentnost.org.yu](http://www.transparentnost.org.yu).

#### **4.7.6 Project orientation**

Firstly, despite the notable activities of the Anti-Corruption Council and NGOs operating in this area, the anti-corruption efforts seem to be disjointed, while collaboration and coordination with and inclusiveness of other stakeholders, civil society and business community in fighting corruption seem to be lacking. Such a situation will pose a challenge to drafting of anti-corruption strategy and an action plan which, if it is to be successful and have a wide public support, requires broad consensus, an understanding of the reforms, and support and participation in the implementation. A non-inclusive and one-sided anti-corruption strategy will lack legitimacy and as such it is likely to fail. Bearing this in mind, Serbia might want to consider a more inclusive participation of other stakeholders in drafting a strategy and an action plan to insure legitimacy and mobilize support.

Secondly, bearing in mind political uncertainties connected with the coming elections and complexity of reforms required for closer European integration, continuous political commitment to the anti-corruption and other reforms might diminish.

Given the findings of the PACO Impact mission and the comments of the EU Commission's Third Annual Report on Stabilization and Association process in Southeast Europe, as well as feedback of the government bodies and other institutions involved, PACO Impact would consider the following:

Main Goal: Drafting of anti-corruption strategy and an action plan. Educating and raising awareness amongst legal drafters and stakeholders in anti-corruption reforms about international and European standards and practices in repressing and preventing corruption.

Expected actions: Drafted anti-corruption strategy and an action plan; strengthened capacities of the anti-corruption services, improved understanding of substance of international and European standards and practices in repressing and preventing corruption.

## 5 SUGGESTED REGIONAL THEMATIC ACTIVITIES

The PACO Impact project will propose also to support activities which facilitate regional networking and the exchange of lessons learned in specific aspects of fighting corruption, such as securing access to public information; prevention and monitoring; criminalisation of corruption related offences; controlling conflict of interest and illicit enrichment practices; increase of public education and awareness; and a uniform understanding of treaty law when it comes to the application of international and European anti-corruption standards.

In addition to seven project areas, regional activities could also involve participants from other countries with valuable experiences in fighting corruption and with some similarities from the history and /or legal tradition backgrounds namely Slovenia, Latvia, Italy, and Germany.

Thus the aim of such regional thematic seminars is threefold:

- Establish closer links amongst practitioners in related fields so to contribute to creating a critical mass of specialised and well-equipped professionals in the region that are involved in the process of combating corruption and raising awareness on a variety of negative effects of such phenomenon.
- Facilitate and create opportunities to focus on specific anti-corruption issues aimed at exchange of lessons learned in applying certain anti-corruption tools and from the difficulties encountered by others in similar situations.
- Provide a unified understanding of best European and other practices by offering and considering several solutions to improve effectiveness in applying specific anti-corruption tools (political, institutional, and legal).

Finally, regional networking through specifically designed thematic seminars/multi-twinning visits on specific anti-corruption related issues (by respecting division amongst different categories) in overall will increase confidence, offer support, encourage and boost motivation amongst the peers in the region to continue their challenging work approaches.

Below is the category of services proposed, discussed and finally agreed during the 1<sup>st</sup> Regional Conference and which leads the suggested specific activities under the workplan.

### 5.1 Anti-corruption Services

**Orientation** Facilitate regional networking and the exchange of lessons learned on specific aspects and tools used in designing anti-corruption strategies, policies, action plans and establishment of Anti-corruption services. Make use of model guidance and advise on policy and institutional reform with respect to streamlining and modifying public services [licences/permissions] when provided by central and local government authorities

**Participants:** Anti-corruption agencies/units/commissions/councils, central and local administration representatives involved in public service policy advice.

### 5.2 Prosecutorial Services

**Orientation:** Facilitate regional networking and the exchange of lessons learned on specific aspects of institutional and legislative reform in establishing the specialised units/bureau within the prosecutorial services (i.e. economic and organised crime bureau). Provide guidance and advice on issues related to reforms on “case management” and internal procedural rules within the prosecutorial

services aimed at preventing corruption while increasing higher quality of investigation capacities.

**Participants:** Prosecutorial services, and judicial police/investigating judges, public order police etc.

### **5.3 Legislative Reform**

**Orientation:** Facilitate regional networking aimed at reaching a unified understanding of the application of treaty law provisions in the domestic level with relevance to Anti-corruption related international instruments.

**Participants:** Codification departments of Ministries of Justice, Departments of European Integration, Legal Advisor's Offices at Ministries of Foreign Affairs, Parliamentary Committees.

## 6 WORKPLAN: INPUTS & LOGICAL FRAMEWORK FOR EACH PROJECT AREA

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
<b>6.1 Albania</b>						
<b>OUTPUT 1: Improved Anti-Corruption Strategy and Action Plan of Albania. Strengthened capacities of reporting, monitoring and increased accountability.</b>						
End of September 2004	Expert Review on the "Monitoring and Improvement of Indicators of Success in the AC Plan"	<ul style="list-style-type: none"> <li>- Improved indicators of success</li> <li>- Clear distinction between objectives and indicators in the measures of the Action Plan</li> </ul>	<ul style="list-style-type: none"> <li>- Submission of proposals from other actors</li> <li>- Final draft of the revised Action Plan</li> </ul>	<ul style="list-style-type: none"> <li>- Ambiguity of the AC Plans from different institutions</li> <li>- Lack of concrete and measurable actions</li> </ul>	<ul style="list-style-type: none"> <li>ACU</li> <li>ACMG</li> <li>Civil society</li> </ul>	<ul style="list-style-type: none"> <li>1 Consultant (Written expertise)</li> <li>Translation of the Opinion into the local language</li> <li>LPO Coordination</li> </ul>
25 October 2004	Roundtable on the effectiveness of revised Action Plan based on the expert opinion and the three main pillars of the strategy (1 day)	<ul style="list-style-type: none"> <li>- Action Plan structure elaborated</li> <li>- New effective measures and indicators of success to measure progress are introduced in the new draft of the AC plan for 2004-2005;</li> <li>- Continuous implementation of the new AC Plan in an effective and operational way.</li> </ul>	<ul style="list-style-type: none"> <li>- Actors' comments and suggestions inserted in the new structure</li> <li>- Actors involved agree upon the new proposed structure</li> <li>- Actors involved agree upon the new proposed structure</li> </ul>	<ul style="list-style-type: none"> <li>- Risk of formal discussions</li> <li>- Not satisfactory participation and agreement from some institutions to take new measures or change existing measures;</li> <li>- Not clear understanding of some new elements which may need political support and financial back up.</li> </ul>	<ul style="list-style-type: none"> <li>ACU, ACMG, civil society, Contact Points in all line institutions</li> <li>35 Total</li> </ul>	<ul style="list-style-type: none"> <li>Financial support for the organization of the RTD</li> <li>Expert Opinion</li> <li>PM</li> <li>LPO Coordination</li> </ul>
18-19 November 2004	Organization of the 4 <sup>th</sup> National Conference of the Fight against Corruption	<ul style="list-style-type: none"> <li>- Satisfactory participation, and political support assured by all actors;</li> </ul>	<ul style="list-style-type: none"> <li>- Action Plan 2003-2004 approved, published, and disseminated in a wide range;</li> </ul>	<ul style="list-style-type: none"> <li>- Risk of formal discussions</li> <li>- Not satisfactory political support</li> </ul>	<ul style="list-style-type: none"> <li>ACU, ACMG, all line ministries, civil society and representatives from local government</li> </ul>	<ul style="list-style-type: none"> <li>Financial support for the organization of the 4<sup>th</sup> National Conference</li> </ul>

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
Durres	2003-2004	<ul style="list-style-type: none"> <li>- Forums of discussion provide a final and reviewed version of the AC Plan and inventory of achievement;</li> <li>- New policy strategies are introduced in the fight against corruption through the AC Plan for 2004-2005</li> </ul>	<ul style="list-style-type: none"> <li>- Inventory of Achievements and Failures is openly discussed with all participants and media;</li> <li>- GRECO, SPAI, EC reports and other assessments on the quality and effectiveness of the reviewed AC Plan for Albania;</li> </ul>		80 Total	PM and HCPD LPO Coordination
December 2004	Publication and distribution of the new Action Plan/Strategy of 2005	<ul style="list-style-type: none"> <li>- Large distribution in all central and local government institutions as well as civil society, international organizations, media, etc;</li> <li>-institutions use the document as a bench mark in their work when reporting and monitoring anti-corruption measures</li> <li>- Public is informed and understand government policies in the fight against corruption</li> <li>- reactions/comments/suggestions</li> </ul>	<ul style="list-style-type: none"> <li>- Publication and distribution in due time</li> </ul>	<ul style="list-style-type: none"> <li>- Publication delays</li> </ul>	<ul style="list-style-type: none"> <li>ACU</li> <li>All institutions and line ministries</li> <li>Public</li> </ul>	<ul style="list-style-type: none"> <li>Financial support for the publication of the Action Plan 2003-2004</li> <li>LPO Coordination</li> </ul>
January 2005	Publication of a CD and/or leaflets with the informative materials on the Fight against Corruption  Purchase of the Albanian	<ul style="list-style-type: none"> <li>Large distribution in all central and local government institutions as well as civil society, international organizations, media, etc.</li> <li>Increased knowledge on jurisprudence and new legislation</li> </ul>	<ul style="list-style-type: none"> <li>- Publication and distribution in due time;</li> <li>- Copies of Leaflets;</li> <li>-Copies of CDs</li> </ul>	<ul style="list-style-type: none"> <li>- Designing delays</li> <li>- Publication delays</li> </ul>	<ul style="list-style-type: none"> <li>ACU</li> <li>All institutions and line ministries</li> <li>Public</li> <li>100 CDs</li> <li>600 Leaflets</li> </ul>	<ul style="list-style-type: none"> <li>Financial support for the publication of leaflet and CD</li> <li>LPO Coordination</li> </ul>

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	Jurisprudence Program (JURIST)	in place. Programme content is used by the ACU on their daily work				
<b>OUTPUT 2: Strengthen capacities of the Anti-corruption Unit to discharge more policy and reform advise and increase other capacities</b>						
Mid December 2004 Durrës	Training Seminar of the ACMG members and Contact Points on the management of monitoring the Action Plan (2 days)	<ul style="list-style-type: none"> <li>- Clear understanding and actions following the AC Plan for 2004-2005 are gained by all CPs and ACMG members when implementing the new AC Plan</li> <li>- Enhanced capacities of monitoring and reporting vertically and horizontally through the introduced new guidelines;</li> </ul>	<ul style="list-style-type: none"> <li>- Results achieved from periodical monitoring</li> <li>- Active involvement in ACMG Board meetings</li> <li>- guidelines of reporting and monitoring in place;</li> <li>- AC Plan Inventory of Achievement reports</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of participation/passive participation;</li> <li>- Not full commitment and resources to use the provided guidelines from all institutions</li> </ul>	<p>ACMG ACU Contact Points</p> <p>35-40 participants</p>	<p>1 Consultant Activity funding LPO Coordination</p>
Mid-January 2005	Expert Review on the legal status and authority of ACU aiming at the establishment of an independent authority and the review of the ACMG structure and composition	<ul style="list-style-type: none"> <li>- Constructive participation and/or contribution of the involved actors (technical level)</li> <li>- Policy paper advising on a new legal framework aimed at establishing or strengthening an independent ACU for Albania</li> <li>- Approved policy paper (partly or wholly)</li> </ul>	<ul style="list-style-type: none"> <li>- Policy Paper as introduced to ACMG, and CM;</li> <li>- ACU legal status changed</li> <li>- ACMG structure and composition changed</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of political will</li> <li>- Necessary lobbying (including the political level to support and assist</li> <li>- This activity may need to be re-visited again following the Policy Paper in order to maintain the momentum and further provide dialogue with all stake holders.</li> </ul>	<p>ACU, ACMG, Office of Minister of State for Coordination, Council of Ministers</p>	<p>1 Expert on line (written expertise) Policy Paper PM and HTCU LPO Coordination</p>
30 November 2004	Roundtable on the strengthening of the functioning and reporting	<ul style="list-style-type: none"> <li>- Report issued show a more effective and operational relationship among institutions of</li> </ul>	<ul style="list-style-type: none"> <li>- Effective functioning and periodical data exchange</li> <li>- Triangle Committee Reports</li> </ul>	<ul style="list-style-type: none"> <li>- Lack of participation</li> <li>- Lack of data reporting</li> <li>- Lack of regular meetings</li> </ul>	<p>PG's Office ACU, ACAC</p>	<p>1 Expert (TBC) Activity Funding LPO Coordination</p>

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	capacities as well as the review of Triangle Committee structure	the triangle committee Enlargement of the its composition - Quarterly publication of the corruption data/statistics	and Media releases; - Number of cases that are reported periodically and their follow up reports; - GRECO and SPAI reports		MoJ High Inspectorate of Declaration of Assets 30-35 Total	
<b>OUTPUT 3: Improved key legislation and its implementation in line with international and European commitments that Albania has adhered to</b>						
Early May 2005	Training seminar on the Public Information Law with all public information officers at the local government level (2 days)	- Understanding of standards and responsibilities (under this law) by the public administration officials - Drafting necessary sub legal acts and administrative mechanisms; - Issued Guidelines for implementation of the law are used by Public Information Officers	- Number of trained people - Guidelines on the implementation of the law	-Lack of participation and/passive participation	ACU, ACMG, Civil society Local and regional public information officers 40 Total	Activity funding LPO Coordination
Early June 2005	Training seminar on the Public Information Law with judicial administration officers (2 days)	- Understanding of standards and responsibilities (under this law) by the public administration officials - Drafting necessary sub legal acts and administrative mechanisms - Issued Guidelines for implementation of the law are used by Judicial Administration officers	- Number of trained people - Guidelines on the implementation of the law	-Lack of participation and/passive participation	ACU, ACMG, Civil society, Chancellors, Public information officers, Bailliff officers, Judicial administration officers 40 Total	Activity funding LPO Coordination
End of February 2005	Expert Review on the final draft law on the amendments to the Political Parties and	-Engagement of the political level in the process - Introduction of international standards in the existing law;	- Amendments being passed by the Council of Ministers and then approved by the Parliament	- Lack of political will - Delays in approving the draft law in Parliament	ACU, Electoral Commission, representatives from different political parties, State Audit, High Inspectorate for the Declaration	1 Expert (written expertise) LPO Coordination

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
End of October 2004	Electoral Campaigns law as provided by the study of ACU  Expert Review on the amendments to the Conflict of Interest existing legal framework as provided by the study of ACU	-improved legislation prior to elections; -prevention of possibilities (in the law text) of violation during the funding of political parties process -Introduction of new international standards on Conflict of Interest; -Existence of unified and operational legislation on the Conflict of Interest; -Application of the new standards as introduced by legislation changes	- Text of the law  - Expert review as provided to the authorities; - Improved and finalised amendments - Text of the newly introduced legislation	- Prolonged policy discussions on the issue of having a new material law versus amendments in the existing legal framework	of Assets, ACAC, MoJ  ACU, ACMG, MoJ, High Inspectorate for the Declaration of Assets	1 Consultant (written expertise) from the CoE in cooperation with: 1 Consultant from OECD (written expertise) LPO Coordination <b>Note: This is joint project activity with OECD</b>
November-December 2004	Roundtable to discuss expert opinion on the Conflict of Interests provisions/existing compilation of the legal framework (1 day)	- Round Table Discussion Report in the final findings suggest changes into the legislation as agreed by all participants; - Policy structure is decided and agreed during the final discussions on the RTD;	- RTD report ; - Policy Paper as submitted for approval by the CoM and Parliament -GRECO, OECD, SPAI reports when assessing the issue of conflict of interests legislation	- Lack of participation and lack of willingness to engage in the process - Delays in following up with the Expert Review Paper and their application to a Recommendation Policy Paper for the government	ACMG, MoJ, High Inspectorate for the Declaration of Assets, PG's Office, High Council of Justice, ACAC, relevant ministries 30-35 Total	Activity funding LPO Coordination 1 Consultant (CoE or OECD)  <b>Note: This is joint project activity with OECD</b>
End February 2005	Expert Review on the legislation concerning immunities of high officials (including judges and prosecutors)	- Introduced best practices through a review and recommendation expertise opinion for consideration by the authorities; - Follow up Policy Paper is	- Expert Review and Recommendations paper - Follow up report by the authorities on the Policy that needs to be in place. -GRECO report	- Lack of political will - Delays in preparing the follow up policy paper from the authorities	ACU, ACMG, MoJ, High Inspectorate for the Declaration of Assets, ACAC, Parliament Legal Advisor's Office, Parliament Legal Commission, representatives from different	1 Expert (Written Expertise) LPO Coordination



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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
Mid 2005	Roundtable based on expert review of legislation on the immunities of high officials (including judges and prosecutors) (1 day)	initiated by the authorities seeking change of legislation in this field - Participation and feedback (especially from the interested high officials); - Agreement on the best practices by the Expertise opinion and other suggested changes from the Albanian authorities (ACU); - Decision is agreed on the guidelines and content for Follow up Policy Paper is initiated by the authorities seeking change of legislation in this field	- Round Table Report - Text of Structured Policy Paper	- Political will - Lack of participation of other opposition political parties into a multi-party discussion	parties and the judiciary  ACU, ACMG, MoJ, High Inspectorate for the Declaration of Assets, ACAC, Parliament Legal Advisor's Office, Parliament Legal Commission, representatives from different parties and the judiciary  20-25 Total	Activity funding LPO Coordination
<b>OUTPUT 4: Implemented "Case Management" Reform at the Prosecutorial Services in line with the implementation of the Anti-corruption Plan of Albania for 2003-2004</b>						
January 2005	Establishment of the working group to cover the following preparatory phases: - feasibility of the impact when applying the case management system in the entire country; - drafting the necessary PG Order on the new system of the case management;	- Working Group is established and initiates its first step toward activity implementation; - Formulated forms on which the Case Management system will be applied; - Draft of the PG Order; - Printed master standards of the forms to be introduced in the region as samples.	- List of the working group and its action plan of work; - Final Forms of Case management approved and ready to be applied; - Enforced PG Order on the establishment of the new system on the case management	Technical and logistical resources are not all in place  Delay in finalising the draft action plan	PG's Office Prosecutorial services WG	Activity funding LPO Coordination

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
January-February 2005 2-3 days (Lower Saxony-Germany)	<ul style="list-style-type: none"> <li>- finalise the practical and technical arrangement of the case management sheets</li> <li>- Issuance of the PG's Order</li> </ul> <p>Working Group Discussion in finalising the Action Plan for the implementation of the "Case Management" new system</p> <p>Enable the working group members to discuss issues of operational and implementation of case management with other experts in the field: Germany prosecutorial services.</p>	<ul style="list-style-type: none"> <li>- The working group finalises the Action Plan;</li> <li>-Approval of the Action Plan by the Office of Prosecutor General;</li> <li>- Methodologies and Procedures for implementation based on the international standards are assimilated by all working group members and ready to be introduced;</li> <li>-Final Action Plan Report is in place</li> </ul>	<ul style="list-style-type: none"> <li>- Report on the Visit and working Sessions in (Lower Saxony);</li> <li>- Expert review report;</li> <li>-Final Action Plan for implementation.</li> </ul>	<ul style="list-style-type: none"> <li>- Limited financial resources to organise a visit and working group session in Germany enabling discussion with many international officers in the field of Case management.</li> </ul>	<p>Working Group as established by the Office of Prosecutor General.</p> <p>6-7 Total</p>	<p>One Expert-Germany One Expert US PM, LPO, Activity funding LPO Coordination</p> <p><b>Note:</b> Experts are the same ones that prepared the initial recommendations under the PACO Albania 2 project. In order to maintain the continuation of the same expertise and knowledge.</p>
March-April 2005	<p>Preparation and production of the centralised data base and forms for case management system in the central office (PG's office)</p> <p>6 regional trainings aiming at the presentation of the case management and its</p>	<ul style="list-style-type: none"> <li>- Final software system ready to be inserted and applied</li> <li>- Final forms are in ready to introduced</li> </ul>	<ul style="list-style-type: none"> <li>- Final production of questionnaire and software</li> </ul>	<ul style="list-style-type: none"> <li>- Delays in finalising the new administrative procedures for introducing the new structure</li> </ul>	<p>PG's Office WG</p>	<p>1 – 2 Experts Activity funding LPO Coordination</p>
Mid September 2005	<p>6 regional trainings aiming at the presentation of the case management and its</p>	<ul style="list-style-type: none"> <li>- Presentation of the new case management system</li> </ul>	<ul style="list-style-type: none"> <li>- Start up of the process</li> <li>- Manual on the new case management</li> </ul>	<ul style="list-style-type: none"> <li>-Difficulties in applying and understanding the new system</li> </ul>	<p>PG's Office Prosecutorial services WG</p>	<p>Activity funding LPO Coordination</p>

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	ways of implementation (1-2 days)				100 Total	
<b>6.2 Bosnia and Herzegovina</b>						
<b>OUTPUT 1: Coordinated efforts on reviewing the Anti-corruption Strategy and strengthened monitoring capacities of Anti-corruption Plan for BiH</b>						
Mid November 2004	<p>Workshop: Initiate a policy discussion on the necessity of:</p> <ul style="list-style-type: none"> <li>- Review the Anti-corruption Plan and the establishment of the Anti-Corruption Coordinating and Monitoring Body (ACMC-Anti-corruption and Monitoring Commission)</li> </ul>	<ul style="list-style-type: none"> <li>- Reviewed version of the AC plan/strategy</li> <li>- Recommendations for the establishment of ACMC (legal grounds and the justification for the establishment of the Commission; role and purpose of the Commission and its operational framework)</li> <li>- Distribution of the recommendations to the relevant state bodies and authorities for the decision</li> <li>- Establishment of the Commission</li> </ul>	<p>The relevant documents that will be drafted in the course of the activity</p> <p>Operational Commission by the end of the project</p>	<p>Delays in achieving coordination and support by all institutions;</p> <p>The existence of the political consensus amongst relevant administrative BiH bodies (political preconditions);</p> <p>Financial support (budgeting) to the Commission (financial preconditions);</p> <p>Secured appropriate human resources (technical preconditions);</p> <p>Risks: Possible overlapping between already existing</p>	<p>GRECO Delegation; PRSP Office established by WB through CoM decision; BiH Mod; MONEYVAL Delegation; High Judicial and Prosecutorial Council of BiH (HJPC); Ministry of Security BiH; SIPA (State Investigative and Protection Agency currently under Ministry of Security BiH); BiH Prosecutor's Office; Entities' Prosecutorial Offices; FBiH and RS Ministries of Interior; Entities' Tax and Customs Administrations; Financial Police; and relevant institutions from Brcko District; BiH Election Commission; Entity and State Auditors; Ombudsman Office (and its branches); Directorate for EU integration;</p>	<p>2 Consultants</p> <p>Activity funding</p> <p>LPO Coordination</p>

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
December 2004	<p>RTD on the following issues:</p> <ul style="list-style-type: none"> <li>- AC Strategy and Plan-- policy streamlining</li> <li>- Coordination and share of knowledge on monitoring the anti – corruption measures;</li> <li>- Management of institutional efforts when taking AC measures</li> </ul>	<ul style="list-style-type: none"> <li>- Recommendations for the policy streamlining in order to be reflected in the revised version of the AC plan within the PRS</li> <li>- Clear definition of priorities related to the implementation of anti-corruption activities</li> <li>- terms of participation and information exchange between different institutions; and other relevant issues;</li> </ul> <p>Distribution of the recommendations to the relevant state bodies and authorities for the decision and Implementation of the recommendations</p>	<p>Result of new data and information subject to the a GRECO compliance evaluation</p> <p>Streamlined policy that specifies terms of coordination and sharing of knowledge on monitoring the anti – corruption activities</p>	<p>bodies fighting corruption, and the existence of different proposed solutions provided by the previous international advisory bodies (finished and ongoing projects)</p> <p>Same as above</p>	<p>Transparency International and other relevant civil associations</p> <p>ICITAP; OHR-ACCU, EUPM</p> <p>25-30 Total</p> <p>Same as above</p>	<p>2 Consultants</p> <p>Activity funding</p> <p>LPO Coordination</p>
<b>OUTPUT 2: Sustained and coordinated monitoring, and reporting of Anti-corruption measured in BiH</b>						

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
Start in Mid January 2005	Initiate the establishment of an Anti-Corruption Coordinating and Monitoring Commission (based on the reviewed of the anti-corruption strategy and its action plan) ; other duties to be asserted) aimed at drafting and preparing the concept paper	<ul style="list-style-type: none"> <li>- Final Concept paper on the ACMC</li> <li>- Draft legal decision for the establishment of ACMC (legal grounds and the justification for the establishment of the Commission; role and purpose of the Commission and its operational framework)</li> <li>- Distribution of the draft to the relevant state bodies and authorities for the decision</li> <li>- Endorsement of the establishment of the ACMC by gov. authorities and OHR</li> </ul>	<p>Submission of the Concept paper</p> <p>Finalised Legal framework of the ACMC</p> <p>Newly set up Commission by the end of the project</p>	<p>Same as above</p> <p>Legal limitations to the establishment of the Commission</p>	Same as above	<p>2 Consultants</p> <p>Activity funding</p> <p>LPO Coordination</p>
June 2005	Training of the Anti – Corruption Coordinating and Monitoring Commission (training topics to be asserted)	<p>Training completed</p> <p>Number of trained members</p>	<p>Increased capacity for coordinating and monitoring anti –corruption activities</p>	<p>Timely establishment of the Anti – Corruption Coordinating and Monitoring Commission and appointment of staff</p>	<p>The Commission</p> <p>15-20 Total</p>	<p>2 Consultants</p> <p>Activity funding</p> <p>LPO Coordination</p>
<b>OUTPUT 3: Improved legislation and its implementation (especially related to investigation of corruption) in line with international and European commitments that BiH has adhered to</b>						
February 2005	Specialized training Seminar on investigation and criminal proceedings against corruption and	<p>Training completed</p> <p>Number of trained members</p>	<p>Training Report</p> <p>Increased capacity and skills for investigating and</p>	<p>Availability of the participants</p> <p>Delays in organising the</p>	<p>Prosecutors Offices of entity and state level; Law enforcement agencies (police and other investigative agencies) and</p>	<p>1 Expert</p> <p>Activity funding</p> <p>LPO Coordination</p>

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
End April 2005	<p>economic crime offences: Evidence collection and use of Special Investigative Means (case studies, etc.);</p> <p>Round table discussion on the implementation aspects of international standards under Corporate Criminal Liability Regulation</p>	<p>Round table completed</p> <p>Recommendations disseminated to the relevant institutions (policy paper)</p>	<p>prosecuting corruption and economic crime cases in line with international standards</p> <p>Policy Paper report</p> <p>Increased capacity for using corporate liability provisions</p>	<p>activity</p> <p>Availability of the participants</p>	<p>judges; Centre for Education for Judges and Prosecutors; and Police Academy 25-30 Total</p> <p>Prosecutors Offices of entity and state level; Law enforcement agencies (police and other investigative agencies) and judges; Centre for Education for Judges and Prosecutors; and Police Academy 25 -30 Total</p>	<p>1 Expert</p> <p>Activity funding</p> <p>LPO Coordination</p> <p><b>Note:</b> this activity may be co-organised with SPAI</p>
<b>OUTPUT 4: Strengthened capacities of successful criminal proceedings against corruption while applying the newly introduced criminal law legislation</b>						
February – June 2005	<p>Provide tools and guidelines for prosecutorial services on:</p> <ul style="list-style-type: none"> <li>- Investigation and prosecution of corruption and economic crime related offences;</li> <li>- dealing with crime proceeding and assets; admissible evidence;</li> <li>- criminal case planning proceedings and case</li> </ul>	<p>Provided training and written documents (guidelines) in a format of a "Manual of Road Map for Prosecution of Corruption in BiH"</p>	<p>The relevant documents that will be drafted and distributed</p> <p>Increased capacity to recognise and prevent corruption within the prosecutorial services</p> <p>Copy of the Manual as finalised and distributed</p> <p>Distribution report.</p>	<p>Avoiding the overlapping of some existing projects in the same field;</p> <p>Delays in achieving full commitment in time and resources by the relevant beneficiary authorities</p>	<p>Prosecutorial services; HJPC; and Centre for Education for Judges and Prosecutors</p> <p>25-30 Total</p>	<p>1 national short term expert</p> <p>1 CoE Expert</p> <p>Activity funding</p> <p>LPO Coordination</p>

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	management within the prosecutorial services aimed at prevention of corruption within that institution					
<b>6.3 Croatia</b>						
OUTPUT 1: Revised and Comprehensive Anti-corruption Programme and Action Plan for Croatia						
October – November 2004	Establish the WG for reviewing the current AC Programme, after the approval of the MOJ.  Support technically all the WG sessions and requests for expertise	Working Group is created  Working Group is functional  Structure of Action Plan is in place for implementation of tasks from the Working Group  Working Group starts its periodical meetings	List of finalised and government endorsed Working Group list  Working group reports and recommendations  Working group action plan	Delays in setting up the working group due to some lack of coordination among institutions  Lack of human resources	MOJ, USKOK GRECO delegation, PSD, Parliamentary Commission, MoI, PG Office any relevant ministry.	Activity funding LPO Coordination PM
January 2005	Organise the Conference on the Review and Improvement of the National Anti-corruption Programme and Plan focussed on the preventive and educational aspects of	Reviewed, updated, and improved structure of the National Anti-corruption Programme and Action Plan.  Tangible measures and Inventory of Achievements reflected in the	The National Anti-corruption Programme and Action Plan.	Delays in finalising the draft of the reviewed National Anti-corruption Programme and Action Plan.	Anti-corruption working group, GRECO delegation representatives, USKOK, MoJ, PSD, Parliament Commission, some relevant ministries, independent bodies, representatives from the	1 Expert Activity funding LPO Coordination  PM and HCPD/HTCU

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/BENEFICIARIES	CoE INVOLVEMENT
	the anti-corruption policy	Programme. Increased accountability, reporting and responsibility devised among all relevant institutions as tasked by the Programme in accordance to the reported indicators of success.			business community	
January-February 2005	Publication of the Final National Programme	Increased public awareness and transparency Number of distributed copies and list of its recipients/users Widespread institutional knowledge about the National Programme and government's transparent reporting on its achieved and non -achieved measures.	Copy of the published document and its dissemination report Number and geographic distribution of the publication Number of governmental and non-governmental individuals that are aware of the existence and governmental procedures under the National Programme.	Delays in publication, and its dissemination in the country	All institutions and NGOs as well as public  500 copies	1 Expert Activity funding LPO Coordination Publication funds
November-December 2004	Organise training on guidelines and tools to drafting anti-corruption action plan and setting up indicators of success, including here prevention and educational initiatives that need to be included in	Reviewed, updated, and improved structure of the National Anti-corruption Programme and Action Plan. Tangible measures and Inventory of Achievements reflected in the Programme.	Recommended Guidelines and Tools Report The National Anti-corruption Programme and Action Plan.	Delays in organising activity due to other connected delays (establishment of the working group, the review of the existing programme and providing a new version of the Programme)	WG: MOJ, USKOK GRECO delegation, PSD, Parliamentary Commission, MoI, PG Office any relevant ministry.  30-35 Total	1 Expert Activity funding LPO Coordination



TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	the existing Anti-corruption framework	Guidelines and Tools are being used by main involved institutions in implementing the National Programme				
<b>OUTPUT 2: Strengthened USKOK capacities in the area of Public Relations and Prevention actions</b>						
March 2005 and on	Assist USKOK in establishing the two non-existing departments (Public Relations and Prevention and the Research and Documentation) and develop the necessary working methodology.	Established and functioning 2 Departments as provided by the law: 1. Public Relations and Prevention 2. Research and Documentation	The newly established structures	Delays in policy Decision taking Lack of budgetary funds Lack of Human resources  Potential changes in the existing law which no longer may require the establishment of these two departments.	USKOK and MoJ and Civil Society representatives	Facilitating Dialogue Activity funding LPO Coordination
End of December 2004 or Early January 2005	Working Group Workshop to discuss and present Recommendations on redefining a Policy Advice on the establishment of a Anti-corruption Monitoring Body	Workshops Policy Paper for the establishment of an Anti-corruption monitoring Body instead of the Parliamentary Commission;  Policy Paper is endorsed by high level authorities and the establishment of the body is initiated.	Workshop is held;  Number of participants that contribute to the Policy Paper preparation;  Text of Policy Paper; Government reactions on the endorsement of the Policy Paper and establishment of a new body.	Consistent political will and coordination among all institutions as main stakeholders;  Human and financial resource feasibility study needs to be provided and considered by government authorities	USKOK and MoJ and other in line institutions, including participation from civil society.  20-25 Total	1 Consultant Activity funding LPO Coordination

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
<b>OUTPUT 3: Improved legislation and its implementation (especially related to investigation of corruption) in line with international and European commitments that Croatia has adhered to</b>						
April 2005	Organise training on the "Application of Treaty Law and Setting up standards in accordance to the relevant European and UN related Conventions and instruments", also provide tools and networking (Manual of cooperation) or the mutual legal assistance in criminal matters	Training Completed Number of trained members Provided training and written documents (guidelines) in a format of a " Road Map for implementation of International/European instruments"	Training Report Road Map distributed and assimilated by relevant institutions Impact report on the institutions that are using the Manual.	None	MoJ, USKOK, Parliamentary Commission, Members from Law, Ministry of Interior, Civil Society  15-20 Total	1 CoE Expert 1 UN expert Activity funding LPO Coordination   <b>Note: this activity may be co-organised with SPAI</b>
Mid-June 2005	Provide Specialised "case study" training on the practicalities of investigating and initiating criminal proceedings against corruption related offences	Training Completed Provided training and written documents (guidelines) in a format of a " Case Study outline"	Training Report Outline distributed and assimilated by relevant institutions	None	Economic Crime and Corruption Department at the Ministry of Interior, USKOK, PGs Office, FIU  20-25 Total	1 Expert Activity funding LPO Coordination
<b>OUTPUT 4: Strengthen Investigative and Coordination capacities within law enforcement agencies as specific measures under the Anti-corruption Action Plan of Croatia</b>						
May 2005	Provide Video-Conferencing equipment for USKOK and its district	Video-conferencing increasing the quality of investigation and rapid share of information in the country	Video Conference equipment provided	Not fully available funds	USKOK	Equipment Purchase only LPO Coordination

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	offices [Purchase is subject to approval by Sida]		USKOK and Mol reports in the increase of investigation quality and increased communication with the districts SIMS equipment provided			
May 2005	Provide SIMS Equipment for the Economic Crime Department at the Ministry of Interior [Purchase is subject to approval by Sida]	Application of SIMS Increased number of convicted cases due to the SIMS gathered evidence Increased quality of investigation	USKOK and Mol reports in the increase of investigation quality and quantity	Not fully available funds	Ministry of Interior	Equipment Purchase only LPO Coordination
<b>6.4 “The former Yugoslav Republic of Macedonia”</b>						
<b>OUTPUT 1: Improved and comprehensive State Programme for Prevention and Repression of Corruption</b>						
End June 2004 and Mid-June 2005	Annual Conference on the implementation of the State Programme for Prevention and Repression of Corruption (two days).	Evaluation and improvement of the implementation of the State Programme (June 2004 to May 2005) and identifying plans for further activities.	- Text of Revised Programme -Report on further steps for implementation of the Matrix of the Action Plan of the State Programme (commencement of the work on Medium Terms of the Action Plan); - Further improved transparency (media outreach of the Conference conclusions). - PACO Impact Recommendation paper	- Political will, human and financial resources for the implementation of the newly revised State Programme.  - Continuous political support of State Commission actions when implementing specific measures and initiating reform in accordance to the Anti-corruption Programme	- State Anti-corruption Commission; - All relevant Ministries and other governmental institutions; - The Judiciary, - Financial and Banking Institutions; - Media; - NGOs.  60 Total	1 Consultant Activity funding LPO Coordination          PM

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
April 2005	Three one-day training workshops on the new measures for prevention of corruption deriving from the Law on Prevention of Corruption, each held in three different regional centres in the country.	Training held Number of institutions trained staff to enable the effective implementation of the new Law on Fighting Corruption. Number of cases/reports that have been reaching the State Commission due to increased knowledge on law implementation aspects.	-GRECO and SPAI reports Training Workshop Report Impact report provided by AC State Commission reflecting their relationship with regional centers.	Lack of clear understanding Of implementation aspects based on the AC Programme and law. Strong commitment for implementation of Action Plan measures. Political will to support regional centers.	- State Anti-corruption Commission; -Local Government Authorities; - Media; - NGOs.  60 Total	Activity funding LPO Coordination
<b>OUTPUT 2: Strengthened capacities (monitoring, preventive, and public education) of the State Commission in line with the amended Anti-corruption Law</b>						
Mid-November 2004	Computer equipment for the State Commission (5 desktop and 4 laptop computers, a scanner, LCD Projector, printer LaserJet, software backup, and a copying machine).	Improvement of the technical equipping of the State Commission.	Increased effectiveness of the work of the State Commission		State Anti-Corruption Commission	Activity funding LPO Coordination
March 2005	Support the participation of 2 members of the State Commission to GRECO plenary sessions during the evaluation of TYROM	Enhanced international multilateral cooperation and efficiency in providing dialogue during GRECO evaluation procedures.	GRECO evaluation report	In contrary with GRECO rules of procedure and statue	State Anti-Corruption Commission  2 Total	Activity funding LPO Coordination

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
September 2004 Nov. 2004	Translation into English of the Law on Prevention of Corruption and State Programme on Prevention and Repression (with action plan – matrix)  Translation into English of the Law on Financing Political Parties	Availability of the Laws and the State Programme to the Council of Europe and other institutions and foreign experts.  Abilities to provide information dissemination and a better understanding of legal basis or/and other international standards in country are increased.	Text of documents Number of institutions, and professionals who use these texts on their daily work.	Limited funds	State Anti-Corruption Commission Ministry of Justice	Activity funding LPO Coordination
December 2004	Translation and publication of Macedonian Conventions due to be ratified by the Macedonian authorities and other relevant CoE instruments/resolutions/recommendations	Existence and use of CoE conventions in Macedonian to enable their implementation through drafting the new relevant legislation.  Facilitated process of ratification of the Conventions and other instruments of CoE in Parliament.	Texts available in local language for use and practical arrangements during implementation process and application of international standards.  Alignment of new legislation with CoE conventions and recommendation and ratification of signed conventions.	Political will for implementation of the Conventions, Resolutions, and Recommendations.  Limited funds	Ministry of Justice	Activity funding LPO Coordination
May 2005	Publication and Dissemination of the public reports of the Commission: through leaflets, brochures, and booklets for the public and	Increase of public and media outreach, transparency and impact of the State Commission's work.	Reports which show increased public profile of the Commission and its work.  List of dissemination	Possible indifference of the public to PR campaigns.	State Anticorruption Commission	Activity funding LPO Coordination

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
<b>OUTPUT 3: Strengthened capacities of successful criminal proceedings against corruption while applying the newly introduced criminal law legislation</b>						
December 2004 /January 2005	Two days seminar for the implementation of the amended Law on Criminal Procedure.	Number of Trained members of Judiciary; Acquaintance and training of the judiciary with the amended Law on Criminal Procedures, in particular the provisions on determining penalties. Consistent implementation of the amended Law on Criminal Procedure	Training Report Number of Trained members GRECO report	Commitment for implementation of acquired knowledge. Consistent implementation of the new legislation	The Ministries of Justice, judges, the Public Prosecutor's Office, and lawyers 40 Total	1 CoE Expert 1 Local Expert Activity funding LPO Coordination
March 2005	Three workshops for court administration for the three Courts of Appeal on introduction to Anti-corruption measures within the judiciary	Number of trained members and impact reports on their work following this training Knowledge and awareness on specific anti-corruption measures within judiciary is obtained and used in the administration of the Courts of Appeal. Improved efficiency of court administration	Training Report Number of Trained members GRECO report	Commitment for implementation of acquired knowledge.	State Anti-Corruption Commission, Supreme Court 50 Total	Activity funding LPO Coordination
28-29 October 2004	Two days long workshop for the inception of the work of the new Unit for	Provision of initial training for the members of the Unit.	Effective and consistent work of the Unit in accordance with legislation.	Commitment for implementation of acquired knowledge.	The ten members of the Unit for Combating Corruption and experts from other relevant	Activity funding LPO Coordination

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
January 2005	Combating Corruption within the Public Prosecutor's Office (operational as of September 2004). Two days long workshop for the implementation of the new Amendments to the Criminal Code	Training for staff of institutions to implement the new legal provisions.	Correct implementation of Criminal Code.	Commitment for implementation of acquired knowledge.	institutions.  Ministry of Justice, judges, Public Prosecutor's Office, and lawyers.	Activity funding LPO Coordination
<b>OUTPUT 4: Increased capacities of the State Commission through twinning activities as foreseen in the State Programme</b>						
October 2005	Twinning partnership consultative cooperation between the State Commission and equivalent institutions in <b>Latvia</b>	Acquisition of best practices and exchange of experience in prevention of corruption from countries advanced and with compatible experiences in prevention of corruption.	Foreign experiences considered in the implementation of national measures for suppression of corruption.	Practical compatibility of foreign experiences.	State Anti-Corruption Commission.  15 Total	Activity funding LPO Coordination
December 2005	Twinning partnership consultative cooperation between the State Commission and equivalent institutions in <b>Italy</b> .	Acquisition of best practices and exchange of experience in prevention of corruption from countries advanced and with compatible experiences in prevention of corruption.	Foreign experiences considered in the implementation of national measures for suppression of corruption.	Practical compatibility of foreign experiences.	State Anti-Corruption Commission.  15 Total  PM	Activity funding LPO Coordination
<b>6.5 Kosovo</b>						
<b>OUTPUT 1: Finalised and Endorsed Anti-corruption Plan for Kosovo</b>						
August 2004	Establishment of the Working Group for the	WG established and action plan agenda is approved	1 st meeting of the WG report	Political support from UNMIK, OLA, DOJ, and	PISG institutions, UNMIK institutions, civil society	Activity funding LPO Coordination

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	drafting of the action-plan			<p>PISG authorities on the process</p> <p>Continuous commitment from WG members and PISG in engaging in the process for finalising the action plan by the end of the project term.</p>	25 Total	
25-26 October 2004	Workshop for the drafting of the first part of the Action Plan	First part of the Action Plan drafted	Report of the workshop Draft of Part I of Action Plan	<p>Continuous commitment from WG members and PISG in engaging in the process for finalising the action plan by the end of the project term.</p> <p>Support from PISG and UNMIK high level authorities</p> <p>Delays in reaching the necessary outcomes</p> <p>Difficulties in engaging a Local Expert</p>	PISG, UNMIK, Civil Society 35 Total	1 CoE Expert/ 1 Local expert Activity funding LPO Coordination
22-23 November 2004	Workshop for the drafting of the second part of the Action Plan	First part of the Action Plan drafted	Report of the workshop Draft of Part II of Action Plan	<p>Continuous commitment from WG members and PISG in engaging in the process for finalising the</p>	PISG, UNMIK, Civil Society 35 Total	1 CoE Expert/ 1 Local expert Activity funding LPO Coordination



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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
24 December 2004	RTD in seeking approval of the First Draft of the Action Plan.	Draft of finalised Action Plan is discussed among involved institutions Action Plan approved is approved in the end of the process	Formal Approval of the WG Meeting report Draft of Action Plan	<p>action plan by the end of the project term.</p> <p>Support from PISG and UNMIK high level authorities</p> <p>Delays in reaching the necessary outcomes</p> <p>Difficulties in engaging a Local Expert</p> <p>Continuous commitment from WG members and PISG in engaging in the process for finalising the action plan by the end of the project term.</p> <p>Support from PISG and UNMIK high level authorities</p> <p>Delays in reaching the necessary outcomes</p> <p>Difficulties in engaging a Local Expert</p>	Working Group Total: 25 – 35 participants	Activity funding LPO Coordination PM, HTCU
End March 2005	Submission of the Action	Action Plan adopted by the	Text of Action Plan in	Continuous commitment	WG + Government	Facilitation of the meeting /

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	Plan for consideration to the PISG and UNMIK authorities	government Action Plan and Strategy is endorsed by the Assembly of Kosovo and SRSG of Kosovo in the end of the process.	association with the Anti-corruption Strategy Formal adoption of the Action Plan	from WG members and PISG in engaging in the process for finalising the action plan by the end of the project term. Support from PISG and UNMIK high level authorities Delays in reaching the necessary outcomes	Total: 25 participants	CoE and OGG (Office of Good Governance / Office of Prime Minister) Activity funding LPO Coordination
<b>OUTPUT 2: Increased efficiency of the specialised aw enforcement authorities in the fight against corruption</b>						
August 2004	Increase of the number of the anti-corruption local and international investigators in the FIU structures in order to increase capacities for investigating corruption and sustainability of knowledge as such in Kosovo (Policy discussion meeting with the SRSG)	Number of investigators increased Number of local investigators is increased, and transfer of skills among all FIU members is being obtained Number of trained new FIU investigators in the end of the project term increased 50%	Meeting report Report on Formal Commitment and actions taken by UNMIK/SRSG following the meeting; Periodical reports from FIU on their increased capacities	Political support from UNMIK/OLA, DOJ, and PISG and FIU authorities on the process; Limited human and financial resources	Guardia di Finanza, DoJ, Local Prosecutors, SRSG, Head of Pillar 1, and CoE  10 Total	CoE political support and dialogue with relevant high authorities in Kosovo. Activity funding LPO Coordination
<b>OUTPUT 3: Preparation of the legal framework for an independent Anti-corruption Agency in Kosovo in line with the relevant international and European standards</b>						
28 December 2004	RTD on the establishment, structure, placement,	RTD held	Report of RTD	Political support from UNMIK/OLA, DOJ, and	PISG, UNMIK, Civil Society, Ad-hoc group (see Output II)	1 Expert/consultant Activity funding

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	funding and staffing of the ACA	Policy Paper is issues for consideration to high level authorities on the need and procedures of establishing ACA	Policy Paper	<p>PISG authorities on the process;</p> <p>Limited human and financial resources</p> <p>Continuous commitment from WG members and PISG in engaging in the process for finalising the policy paper by the end of the project term.</p>	25-30 Total	LPO Coordination
Early February 2005	Drafting RTD session of the Under statutory Act on the ACA and the presentation of the draft of AC by WG	Under statutory Act drafted  Policy Paper is taken on consideration	Report on RTD  Drafting of the Act  Approval by the participants	<p>Political support from UNMIK/OLA, DOJ, and PISG authorities on the process;</p> <p>Limited human and financial resources</p> <p>Continuous commitment from WG members and PISG in engaging in the finalisation of the process by the end of the project term.</p>	<p>PISG, UNMIK, Civil Society, Ad-hoc Group</p> <p>25 Total</p>	<p>1 CoE expert / consultant,</p> <p>1 local expert,</p> <p>Activity funding</p> <p>LPO Coordination</p>
26-27 January 2005	Organise training on the "Application of Treaty Law and Setting up standards	Training Completed  Number of trained members	Training Report  Road Map distributed and	<p>Delays in organising the activity and assuring full and appropriate</p>	<p>PISG Institutions, UNMIK, Civil Society</p>	<p>1 CoE Expert</p> <p>1 UN Expert</p> <p>1 local expert,</p>

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	in accordance to the relevant European and UN related Conventions and instruments", also provide tools and networking (Manual of cooperation) or the mutual legal assistance in criminal matters	Provided training and written documents (guidelines) in a format of a " Road Map for implementation of International/European instruments"	assimilated by relevant institutions Impact report on the institutions that are using the Manual.	participation.	Total: 35 participants	Activity funding LPO Coordination  <b>Note:</b> This activity will be co-organised with SPAI
<b>OUTPUT 4: Establishment of anti-corruption service (Office) in Kosovo</b>						
April 2005-February 2006	Provide assistance and support to the establishment of the new office of ACA in Kosovo (including the purchase of equipment)	ACA established and staffed with personnel Equipment purchased ACA Staffing ACA becomes operational by the end of the project term	Report on the office establishment ACA Office, its activities and human resources	Political support from UNMIK/OLA, DOJ, and PISG authorities on the process; Limited human and financial resources Continuous commitment from WG members and PISG in engaging in the process until the end of the project term.	PISG Institutions OGG UNMIK Anti-corruption Working Group	1or 2 expert/ consultant, Activity funding LPO Coordination  Purchase of Equipment
<b>6.6 Montenegro</b>						
<b>OUTPUT 1: Finalised and endorsed a comprehensive Anti-corruption Programme and its Action Plan</b>						
Consultancy	Working	Establishment of the working	The text of Program as drafted	Delays in establishing the	Ministry of Interior, Organised	2 Consultants (IMPACT and

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/BENEFICIARIES	CoE INVOLVEMENT
13-14 Sept/04	Group with the Ministry of Interior in order to finalise the necessary changes in the Programme of Anti-corruption and Organized Crime	group to revise the draft of AC and OC Programme Final Draft is revised and amended after agreement with all WG members  Final draft contains suggestions and recommendation in international standards as provided by CoE Consultants	for endorsement to the Working Group Sessions  Report of participation in the process by Civil Society representatives	working group  Delays in finalising the Draft revision and change of structure for the AC and OC programme	crime and Economic Crime Unit, Agency for Anti-corruption  5-10 Total	CARPO) Activity Funding LPO coordination
15 November 04	Expert Meeting to discuss the final Draft of the Programme of Anti-corruption and Organized Crime	Draft Programme is finalised and approved by the expert meeting in a RTD format, and is ready to be presented to the Government  Final Draft addresses all issues for consideration as raised in the past by CoE and other international organisations experts.	Activity report  Text of Programme  Formal endorsement of the Programme by the government authorities	Potential changes in the text that need to be re-addressed again.  Lack of political will  Delays in submitting the final text to the government for its endorsement	Ministry of Interior, Organised crime Department, other line Ministries Agency for Anti-corruption, Group for Changes, other representatives of Civil Society and representatives from political parties  15-20 Total	2 Consultants (IMPACT and CARPO) Activity Funding LPO coordination
16 November 2004	Training on the Guidelines and Tools for preparing Anti-corruption Plan of specific measures and indicators of success	Number of participants who obtain a clear understanding on the monitoring and management of the AC Programme  Measures and indicators are clearly defined  Implementation of the programme is initiated in due course and	Activity report  Guidelines and recommendation paper used for distribution and during the training of activity participants.	Lack of political will to implement recommended guidelines in the process of programme implementation and monitoring  Lack of sustained human resources in place for monitoring the implementation and using	ACIA, GRECO country delegation, Ministry of Interior, media, NGOs	2 Consultants Activity Funding LPO coordination

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TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
<b>OUTPUT 2: Strengthen capacities of the relevant agencies (ACIA, NAC, Special Prosecutor, and Ministry of Interior) to implement the Anti-corruption programme and its Action Plan</b>						
December 2004 – May 2005	On practice Training: Strengthening the capacity of ACIA to monitor and coordinate anti-corruption efforts and implementation of anti-corruption programme	The capacity of ACIA is strengthened; ACIA capable to implement AC plan measures and provide regular reporting	ACIA Activity progress	Lack ACIA's human resources and funds	ACIA	1 week Short term expert Activity Funding LPO coordination
End of Nov 04	High level Meeting: Initiate the policy dialogue on the establishment of the National Commission for the Prevention of Corruption	A policy decision is taken to establish the National Commission	Draft of the framework for establishing the Commission is finalized	Deadline for the establishing of the Commission is not defined Political will and budget resources	Members of the Parliament, relevant governmental and state bodies, civil society 10-25 Total	Written Expertise Activity Funding LPO coordination
Dec/04 Mar/05	RTD on the tools of operations between the ACIA, special prosecutor, Department of Organized Crime at the Ministry of Interior in delineating their tasks with respect to monitoring, prevention, and repression of corruption in coordination with the National Commission for the POCO	The institutions have established and are willing to proceed based on a chart of cooperation among themselves when performing their duties	Training Report Training provided and chart of cooperation is agreed and applied.	Consistent commitment based on the agreed chart of cooperation	ACIA, Ministry of Interior, Office of Special Prosecutor	1 Expert. Activity Funding LPO coordination

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/BENEFICIARIES	CoE INVOLVEMENT
<b>OUTPUT 3: Strengthen the Capacities to introduce and implement new legislation in line with the international and European Standards</b>						
End of January 2005	Organize a training on the implementation issues under the new CC and CPC with relevance to the investigation, criminal proceedings, and trial aspects of corruption related offences	Training is provided Number of trained participants	Beneficiaries have been trained and received a clear understanding on the relevant issues with respect to CC and CPC criminal proceedings related to corruption offences		Police academy representatives, prosecutors, judges, Officers from the Organised Crime Department at the Ministry of Interior	1 Expert. Activity Funding LPO coordination
End of March 2005	Organize a training for the administrative staff of the newly established office of the Special Prosecutor	Training is provided Number of trained participants	The Administrative Staff is trained and received a clear understanding on the structural and operational procedures of the Office of Special Prosecutor		Administrative staff from the Special Prosecutor's office	1 Expert. Activity Funding LPO coordination
Mid-May 2005	Organize a Workshop to discuss issues of concern with respect to the newly adopted law on the Conflict of Interests in accordance to the International Standards	Draft law is discussed and issues of concern are brought up as recommendations for improvements to the law Policy Paper designed to advise authorities on issues of concern	Policy Paper Proposed list of amendments (Policy Paper) has been agreed with the main relevant authorities and presented to the Ministry of Justice for follow up	Lack of political will Delays in providing open dialogue among all stakeholders	All relevant Ministries, ACIA, Parliamentary committees, NGOs	1CoE Consultant and 1 OECD Consultant Activity Funding LPO coordination  <b>Note:</b> This activity will be co-organised with OECD
<b>OUTPUT 4: Operational and Effective Office of the Special Prosecutor for Organised in line with the Anti-corruption Plan</b>						
February 2005	Provide legal expertise in the drafting of the Internal Rules of Procedures and the institutional set up of the newly established	Internal Rules of Procedure and Effective structures are introduced enforced in and assist to the effectiveness of the criminal proceedings	Internal Rules of Procedure enforced and ready to be applied	Delays in implementing the rules of procedures Political and financial support needs to be	Office of the Special Prosecutor	1 Short term Expert (1-2 weeks)  Activity Funding LPO coordination

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
February 2005	Office of Special Prosecutor Purchase of Office Equipment for the Office of Special Prosecutor	Effectiveness of work of the Staff of the Office of Special Prosecutor has increased due to the existence of currently missing equipment	Established Structures are ready to be operational Purchase and fully use of Equipment	assured in order to achieve the sustainability of the process. Limited funds	Office of the Special Prosecutor	Activity Funding LPO coordination
<b>6.7 Serbia</b>						
<b>OUTPUT 1: Finalised and Endorsed Anti-corruption Strategy and Action Plan for Serbia</b>						
End of Aug/04	Establishment of the WG	Operational working group (Competent people Vested with authority to do the work)	Decision on the WG establishment (List of names/ CVs)	Unstable political situation Lack of political will / commitment Continuous Coordination among institutions and the WG.	All relevant/ key institution	Facilitate the dialogue Activity Funding LPO coordination
22, 23, 24 September 20/04	Constituting Workshop and initiation of the Drafting of AC Strategy.	Terms of reference Work program to be elaborated	Elaborated work program	Same as above	WG Plus additional participants from the Relevant institutions 20 Total	1 Expert Activity Funding LPO coordination
9 October 2004	Expert Discussions on the legal framework and the mandate of ACC	Terms of reference Work program to be elaborated	Recommendations	Same as above	WG Plus additional participants from the Relevant institutions 25-30 Total	1 Expert Activity Funding LPO coordination PM
30 October 2004	Technical workshop	Capacity to draft respective part of	Progress Report	Same as above	WG plus additional participants	1 Expert



TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	Law enforcement and Specialised Bodies	the Strategy Capacity to draft respective part of the Strategy			from the Relevant institutions 15-20 Total	Activity Funding LPO coordination
19-20 October 2004	Technical workshop Prevention issues	Capacity to draft respective part of the Strategy	Progress Report	Same as above	WG Plus additional participants from the relevant institutions 20 Total	1 Consultant Activity Funding LPO coordination
5 November 2004	Technical workshop Management of the Strategy	Capacity to draft respective part of the Strategy	Progress Report	Same as above	WG Plus additional participants from the Relevant institutions 20 Total	1 Expert Activity Funding LPO coordination
End of November 2004 Palic	Working Group Session to review the first Draft of the AC Strategy of Serbia	WG finalises the First Draft and is ready to submit it for open discussions with other institutions	Text of the Draft Activity Report	Same as above Delays in finalising the Draft.	WG Plus additional participants from the Relevant institutions 20 Total	1 Consultant Activity funding LPO coordination
November/ December 2004 January 2005	Ad hoc Working Sessions followed up by the Conference Presentation of the Strategy and Publication	Comprehensive efficient / applicable Strategy which is openly discussed with all main stake holders	Text of the Strategy Adoption of the Strategy	Same as above	Key institutions/ other public participation	Activity Funding LPO coordination
<b>OUTPUT 2: Strengthened and well coordinated Anti-corruption Council/Services in Serbia</b>						
Mid 2005	Workshop Review of the framework and mandate of the ACC	Concept Paper and recommendations issued to government with respect to the status proposed changes for ACC  Independent and well structured mandate of ACC	Concept Paper  List of Recommendations	Unstable political situation Lack of political will / commitment  Continuous Coordination among institutions and the WG.	ACC WG	1 Expert Activity Funding LPO coordination
Mid 2005	Workshop Envisaging additional Anti-corruption institutions /	Assess the need for the additional services Basis for their functioning	Activity Report and Conclusions recommending reform	Unstable political situation Lack of political will / commitment	ACC WG	Activity Funding LPO coordination

TIME	ACTIVITIES	INDICATORS	MEANS OF VERIFICATION	ASSUMPTIONS ON SPECIFIC RISKS	PARTICIPANTS/ BENEFICIARIES	CoE INVOLVEMENT
	services		Adoption of relevant legislative framework if opted for additional operational services	Continuous Coordination among institutions and the WG.	20 Total	
<b>OUTPUT 3: Improved key legislation and its implementation in line with international and European commitments that Serbia has adhered to</b>						
Mid 2005  (Potential merging with regional activity in the same field)	Organise training on the "Application of Treaty Law and Setting up standards in accordance to the relevant European and UN Conventions and instruments", also provide tools and networking (Manual of cooperation) or the mutual legal assistance in criminal matters	Training Completed  Number of trained members  Provided training and written documents (guidelines) in a format of a "Road Map for implementation of International/European instruments"	Training Report  Road Map distributed and assimilated by relevant institutions  Impact report on the institutions that are using the Manual.		Ministry of Justice, ACC, Ministry of Foreign Affairs, and Ministry of European Integration  20 Total	1 Expert  Activity Funding  LPO coordination
October –November 2004	Initiate Expert opinions on the number of laws e.g. financing of political parties, conflict of interest, access to public information etc.	Recommended changes which aim at including international standards in the provided legislation  Improved legislation	Expert opinions submitted  Legislation amendments if necessary	Unstable political situation  Lack of political will / commitment	Ministry of Justice	TBD Number of Experts  Activity Funding  LPO coordination  <b>Note:</b> as per conflict of Interests law, this activity will be co-organised with OECD and coordination of efforts with OSCE –Serbia)
December 2004/January 2005	Round Table Discussions to follow the expert opinions re amending	Implementation/ endorsement of the CoE comments	Amendments / new drafts submitted to the Parliament	Political will/ commitment  Constitutional restraints	WG  Relevant ministries	Activity Funding  LPO coordination

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	those provisions of legislation which have been provided CoE expert opinions	Improved legislation Amendments / new drafts submitted to the Parliament		Slow proves of providing legislative changes		
<b>OUTPUT 4: Activities to be determined by February 2005 : IN order to avoid premature decision , such activity will be determined by January 2005 due to new reforms that are initiated recently in Serbia.</b>						

## 7 WORKPLAN: INPUTS & LOGICAL FRAMEWORK FOR REGIONAL THEMATIC SEMINARS

Time/Venue	Activity	Indicators	Means of Verification	Participants/Beneficiaries	CoE Involvement and other Institutions
<b>7.1 Anti-corruption Services</b>					
<b>1<sup>st</sup> Regional</b> Thematic Seminar <b>February 2005</b> <b>Ohrid, FYROM</b> 2 days	Three Regional Thematic Seminars to support networking between anti-corruption services of South-eastern Europe: <u>Each seminar to consist of 4 sessions:</u>  1. Review progress reports presented by each service Mutual review of a topic directly related to the functioning of anti-corruption services. For example: Mandate, authority, composition Sustainability/institutionalisation 2. Measuring progress/results/achievements/impact of anti-corruption services 3. Experience exchange/case studies on substantive topics. For example, how to implement: conflict of interest provisions regulations on political party financing access to information licensing 4. Improving anti-corruption plans and strategies  <i>In addition: a high-level segment should be added to promote political commitment against corruption and in support of anti-corruption services</i>	<ul style="list-style-type: none"> <li>▪ recommendations issued and endorsed by each project area authorities</li> <li>▪ improved AC plans and strategies</li> <li>▪ relevant and specific reforms initiated by AC services</li> <li>▪ Initiation of the establishment of the AC Service network in the region and outside the region</li> </ul>	Seminar held  GRECO evaluation reform  Progress reports for each project area  Reforms initiated and actions plans are viewed/updated/improved	3 to 5 members of specialised anti-corruption services from each project area  Total: 35-40 participants per each Regional Thematic Seminar  <i>High-level representatives for the "political segment" (the "political masters" of anti-corruption services)</i>	Activity Funding and travel cost for all participants  3-5 Experts/consultants from other anti-corruption services and subject-matter experts on the topic to be discussed
<b>2<sup>nd</sup> Regional</b> Thematic Seminar <b>September 2005</b> <b>Tirana, Albania</b> 2 days					
<b>3<sup>rd</sup> Regional</b> Thematic Seminar <b>End of January 2006</b> <b>Zagreb, Croatia</b> 2 days					

Time/Venue	Activity	Indicators	Means of Verification	Participants/Beneficiaries	CoE Involvement and other Institutions
<p><b>7.2 Specialised Prosecutorial Services</b></p> <p><b>4<sup>th</sup> Regional Thematic Seminar</b></p> <p><b>November 2005</b></p> <p><b>Hamburg, Germany</b></p> <p>2-3 days</p>	<p>One Regional Thematic Seminar to support networking between Specialised and economic Crime Prosecutorial services of South-eastern Europe:</p> <p><u>Seminar to consist of 6 sessions:</u></p> <ol style="list-style-type: none"> <li>Legislative aspects when establishing specialised Anti-corruption services within the Prosecutor's Office and/or Law Enforcement Agencies;</li> <li>Tools of "team work" and methodologies used by existing services and procedural approaches in implementing legislative provisions in line with international standards;</li> <li>Judicial Cooperation process with other countries using the Manual of Cooperation in SEE – PACO Networking;</li> <li>Provide an overview of the standard Internal Rules of Procedure, authority of the Prosecutorial Services, and "Road Mapping" of tasks when carrying their tasks (criminal proceedings and administration);</li> <li>Case Management within the Prosecutorial Systems;</li> <li>Practical session on "show model" practical sessions of the use of SIMS and gathering of evidence when investigating corruption and economic/ organised crime related offences</li> </ol>	<ul style="list-style-type: none"> <li>Initiated and supported the regional networking of Prosecutorial services</li> <li>Use of tools during legislative reform related to prosecutorial Services</li> <li>Initiated or continued reforms in respective countries</li> <li>Use and update the Manual of Cooperation</li> <li>Application and implementation of best practices subject to topics discussed and recommendations issued</li> <li>Initiated reforms/actions related to Case Management systems</li> </ul>	<ul style="list-style-type: none"> <li>Seminar held</li> <li>Reforms initiated and presented by clear structures</li> <li>Secondary legislation or decrees</li> <li>Manual of Cooperation</li> </ul>	<p>3 Representatives from the prosecutorial Services</p> <p>1 police (from special units investigating corruption)</p> <p>1 representatives from Judiciary</p> <p>Total: 35-40 participants per each Regional Thematic Seminar</p>	<p>Activity Funding and travel cost for all participants</p> <p>3-5 Experts/consultants from other anti-corruption services and subject-matter experts on the topic to be discussed</p> <p>Prosecutorial Services of Hamburg and Lower Saxony</p>

Time/Venue	Activity	Indicators	Means of Verification	Participants/Beneficiaries	CoE Involvement and other Institutions
<b>7.3 Legislative Reforms</b>					
<p>5<sup>th</sup> Regional Thematic Seminar Early June 2005 Belgrade, Serbia 2 days</p>	<p>One Regional Thematic Seminar on the application and implementation of Treaty Law with substance on Council of Europe and UN Conventions on Corruption and other relevant legal instruments</p> <p><u>Seminar to consist of 6 sessions:</u></p> <ul style="list-style-type: none"> <li>▪ Uniform and in-depth understanding of adoption/ratification/signatory of treaty law;</li> <li>▪ Implementation aspects of Treaty law and other instruments: dualist system vs. monist system, application of the legislation by national courts;</li> <li>▪ drafting laws and bylaws in criminal law and other areas; considering financial and institutional implications of the implementation as well as human resources and training needed for the implementation,</li> <li>▪ preventive legislation vs. penal legislation on (conflict of interest, declaration of assets, public information act, etc.);</li> </ul>	<ul style="list-style-type: none"> <li>▪ Increased capacity in understanding of the implications of the full ratification and the implementation of international anti-corruption legal instruments.</li> <li>▪ Outline of guidelines provided to all participants, in addition available for distribution to relevant institutions</li> <li>▪ Improved and faster process of <i>acquis</i> for the relevant countries</li> <li>▪ Endorsed guidelines by each respective MOJ, and MoFA</li> </ul>	<p>Seminar Held</p> <p>Outline of guidelines</p> <p>Improved preparations, drafting process, and parliamentary procedure concerning anti-corruption legislation.</p>	<p>4-6 participants from each project</p> <p>MoJ, Mol, MoFA, MPs/ members of relevant parliamentary committees, government's legal office (legal commission or council), departments or ministries for European Integration</p> <p>Total: 50 participants</p>	<p>Activity Funding and travel cost for all participants</p> <p>3 Experts/consultants from other MOJs/Codification and Drafting Departments</p> <p>CoE Treaty law Department EC/UN Treaty Law Department</p>

## 8 ANNEX I: RISK AND ASSUMPTIONS

The project is based on the assumption that the governments are committed to develop and implement anti-corruption plans as expressed at the London Ministerial Conference (November 2002) and as recommended by GRECO, SPAI and the European Commission (SAAp reports).

In some project areas, such plans have already been developed and are under implementation, and institutional mechanisms to manage and monitor implementation have been established. In these cases, support to be provided through the PACO Impact project is clearly defined and well focused as foreseen in the workplan.

In other project areas, such plans still need to be developed and initiated as a policy advice and legislative reform process. The process of elaborating and adopting an anti-corruption strategy reflecting a common understanding by all stakeholders is intricate and the course of action is difficult to predict. The project should thus maintain a certain level of flexibility in terms of the timing and type of assistance activities, and this is reflected into the suggested adjustments of nature of activities and intervention<sup>9</sup>.

### 8.1 Assumptions and risks related to specific outputs

<b>Output 1:</b>	<b>Anti-corruption plans improved or elaborated</b>
Assumption:	The elaboration and/or implementation of high-quality and well-balanced anti-corruption plans will reduce corruption and thus strengthen confidence in the functioning of political, administrative and economic systems in SEE. All these actions ought to be in line with the partnership agreements and commitments under the SAAp process and SPAI/OECD initiatives that countries have entered therein.
Risks:	<ul style="list-style-type: none"><li>▪ A constant political will which needs to be maintained and to support this process is fluctuating due to unexpected new political situations, elections, and constant changes/transfers of high level authorities who are in charge to oversee and coordinate the anti-corruption efforts;</li><li>▪ Lack of government support, and/or not well coordinated efforts from high level institutions (line ministries) to the specialised anti-corruption bodies may delay and create obstacles during the process of elaboration/implementation of anti-corruption plans.</li></ul>
<b>Output 2:</b>	<b>Institutional mechanisms for the monitoring and management of anti-corruption plans strengthened</b>
Assumption:	Consistent political and financial support (budget and human resources planning) in order to establish and further strengthen the institutional mechanisms which will contribute to building and/or strengthen the necessary independent bodies and provide frameworks of better monitoring/management of anti-corruption plans. Further on, this will compliment specific institutional reforms of all government institutions and reduce corruption overall.
Risks:	<ul style="list-style-type: none"><li>▪ Individual project areas may lack sufficient budgetary and human resources to support and follow reforms and establishment of such institutions;</li><li>▪ Lack of constant political will to support this process may be reflected due to fluctuating and unexpected political situations, elections, and constant changes of high level authorities who are in charge to oversee and coordinate the anti-corruption efforts;</li><li>▪ Lack of initial training and understanding on the need of establishing and supporting the institutional mechanisms in charge of monitoring anti-corruption</li></ul>

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<sup>9</sup> See, Item 3.4 of this report.

	<p>plans;</p> <ul style="list-style-type: none"> <li>▪ Existence of conflict of interests, or not clear political agendas in support of institutions which represent prevention/monitoring the fight against corruption;</li> <li>▪ Timeline delays in undertaking reforms for establishing and improving such institutions when legislative initiatives need to accompany them.</li> </ul>
<b>Output 3:</b>	Draft laws/amendments available to bring the criminal legislation on corruption in line with European standards
Assumption:	The competent authorities (governments and parliaments) proceed with primary and secondary legislative reform of criminal legislation, and other relevant legislation that needs to be in place. The impact of bringing anti-corruption related legislation in line with European standards is made feasible not only by adherence to European and international instruments, but also managing make them operational and implemented by trained professionals.
Risks:	<ul style="list-style-type: none"> <li>▪ Lack of constant political will to support this process may be reflected due to fluctuating and unexpected political situations, elections, and constant changes of high level authorities (mainly Ministry of Justice, Council of Ministers, and Parliamentary Commissions) which are in charge to coordinate, review and propose new legislation in place;</li> <li>▪ Delays caused by normal lengthy legislative procedures (6-9 months) when new legislation or amendments are to be proposed;</li> <li>▪ Premature and unfeasible solutions to “produce” new legislation within short periods due to EC and SAA process/negotiations deadlines;</li> <li>▪ Previously Introduced new legislation becoming in now days non-operational due to lack of prior financial, social, and legal impact analysis;</li> <li>▪ Applicability of new legislation and its implementation takes place with no relevant and necessary training which may have been underestimated as a priority step aimed at operation implementation of a new legislation.</li> </ul>
<b>Output 4:</b>	Pilot activities supported
Assumption:	In each project area the support in implementing a limited number of activities which are of high priority and impact, will serve as examples and will help create a momentum. Such momentum and results (different in nature for each project area) will serve to provide access to best practices and lessons learned for dissemination among not only the project areas but beyond the region.
Risks:	<ul style="list-style-type: none"> <li>▪ Slow identification of those number of activities in certain project area due to their early status of planning anti-corruption measures under new anti-corruption plans;</li> <li>▪ Limited human resources which are to be involved and be the main actors of such activities while carrying other tasks at the same time;</li> <li>▪ Timeline delays in undertaking reforms during the implementation of these activities when legislative initiatives are the caveat for such implementation;</li> <li>▪ Continues political, technical and financial support changing its course as reflection of high level authority changes thus risking sustainable support and motivation of implementing actors.</li> </ul>



## 8.2 Risks related to specific project areas

<p><b>Albania</b></p>	<ul style="list-style-type: none"> <li>▪ Unstable political situation and electoral campaigns ahead which could lead to a misuse of certain reforms with the purpose of gaining a <i>prima facie</i> public trust, rather than have long term impact;</li> <li>▪ Growing dependency on financial donations for every reform that needs to be taken;</li> <li>▪ Overloading Anti-corruption Unit with other SAAp and partnership agreement responsibilities, tasks which are solely to be carried by the Ministry of European integration;</li> <li>▪ Lack of political will to support the review of the anti-corruption unit legal status with the aim of making it an independent institution accountable to parliament and not to one Ministry as it is currently;</li> <li>▪ Partnership with civil society lacking an inside solid civil society representation causing less commitment from the governmental side when dealing with ACAC.</li> </ul>
<p><b>Bosnia &amp; Herzegovina</b></p>	<ul style="list-style-type: none"> <li>▪ Slow pace of the government authorities to provide office and other support for their own nominated Country Project Director;</li> <li>▪ Delays in recruitment of the appropriate Local Project Officer;</li> <li>▪ The supremacy of OHR structures over the national structures increasing the difficulty of coordinating efforts and reforms;</li> <li>▪ Existence of many commissions, tasks force bodies and other overwhelming structures creating a confusion over which authority is the legitimate one in taking decisions and implementing them;</li> <li>▪ Lack of political commitment;</li> <li>▪ The peculiar legislative process/and executive decrees becoming an eventual obstacle in terms of implementing reforms which are and ought to be initiated by BiH authorities versus the sole authority of OHR;</li> </ul>
<p><b>Croatia</b></p>	<ul style="list-style-type: none"> <li>▪ Delays in in establishing the Working Group and the Permanent Body in charge of the monitoring of the Anti-corruption plans;</li> <li>▪ Lack of coordination among Ministry of Justice and USKOK;</li> <li>▪ Specific vagueness in the USKOK legal framework creating difficulties in operational implementation of the law itself;</li> <li>▪ Lack of funds for purchase of specific equipment;</li> <li>▪ Lack of clear understanding about institutional responsibilities when dealing with the review, and the monitoring of anti-corruption programme;</li> <li>▪ Partnerships with civil society and public outreach with relevant to public awareness and corruption perception may risk to not be consistently a strong part of the government agenda.</li> </ul>
<p><b>“The former Yugoslav Republic of Macedonia”</b></p>	<ul style="list-style-type: none"> <li>▪ Unstable political and ethnical situation and electoral campaigns which could lead to a misuse of certain reforms with the purpose of gaining a <i>prima facie</i> popular support, rather than have impact;</li> <li>▪ Uncertainty in striving for new reforms by the Prosecutorial Services in the establishment of economic and organised crime bureau within these services;</li> <li>▪ Timeline delays in undertaking reforms during the implementation many activities when legislative initiatives need to accompany them;</li> <li>▪ Civil society partnership continues to be sole representation of TI chapter in the country with no other additional, NGO community members</li> </ul>
<p><b>Kosovo</b></p>	<ul style="list-style-type: none"> <li>▪ Unstable political and ethnical situation and electoral campaigns ahead which could lead to a misuse of certain reforms with the purpose of gaining <i>prima face</i> popular support, rather than have impact;</li> <li>▪ Supremacy of UNMIK structures over the Kosovo structures (reserved</li> </ul>


	<p>powers) increases the difficulty of coordinating efforts and reforms with other authorities of PISG (transferred powers);</p> <ul style="list-style-type: none"> <li>▪ Lack of unified political will from PISG to undertake joint reforms with UNMIK;</li> <li>▪ Timeline delays in undertaking reforms during the implementation of many activities when legislative initiatives need to accompany them;</li> <li>▪ Lack of coordination and project implementation skills among PISG members;</li> <li>▪ Lack of coordination from some UNMIK structures/offices when executing their authority (reserved powers);</li> <li>▪ Lack of motivation among some PISG members to carry on tasks with no financial support, even such tasks present their sole responsibility as civil servants of PISG;</li> </ul>
<b>Montenegro</b>	<ul style="list-style-type: none"> <li>▪ Unstable political situation and electoral campaigns ahead which could lead to a misuse of certain reforms with the purpose of gaining a <i>prima facie</i> popular trust, rather than have impact;</li> <li>▪ Growing dependency on financial donations for every reform that needs to be taken;</li> <li>▪ Lack of political will;</li> <li>▪ Lack of accreditation of more power and resources to the Anti-Corruption Initiative Agency;</li> <li>▪ Premature and speedy legislative procedure (and other policy papers) which impact negatively the law enforcement component in the fight against corruption;</li> </ul>
<b>Serbia</b>	<ul style="list-style-type: none"> <li>▪ Unstable political situation and electoral campaigns ahead which could lead to a misuse of certain reforms with the purpose of gaining a <i>prima facie</i> popular trust, rather than have a long term impact;</li> <li>▪ Lack of clear status, budget, and assigned role of the Anti-corruption Council;</li> <li>▪ Lack of coordination and cooperation among Anti-corruption Council members in undertaking new reforms which represent a new course in their daily work as compared to the past;</li> <li>▪ Lack of a pro-active role from the side of the Ministry of Justice, Ministry of Interior, and Ministry of Economy and other key institutions in the institutional fight against corruption;</li> <li>▪ Premature and speedy legislative procedure which impact negatively the law enforcement component in the fight against corruption.</li> </ul>

In view of these assumptions and risks it is important to:

- Maintain flexibility in the planning of activities and exploit opportunities as they arise
- Accompany project implementation by continued high level policy dialogue
- Monitor compliance through the Group of States against Corruption (GRECO) and make use of state of play reports of the project during implementation
- Coordinate and act jointly with other organisations and mechanisms such as OECD and SPAI to reach agreement on the approach to be followed
- Provide feedback and recommendations to the SAAp as appropriate
- Ensure that project results and impact are owned by the region and each respective project area in order to enhance sustainability.

## 9 ANNEX II: CALENDAR OF ACTIVITIES (DOMESTIC AND REGIONAL)

(Note: this document is flexible, due to changes in time and place of certain planned events. However this document reflect all activities as planned under the domestic and regional workplan of the project without changes)

- PMU** -Project Management Unit = HQ and Field Office Secretariat of CoE  
**HTS** - Head of Technical Cooperation Section  
**PM** -Project Manger  
**LPO** -Local Project Officer in each project area (part of the PMU)  
**CPD** -Country Project Director nominated by authorities in each project area
- 
  
 - Accomplished  
 - postponed or ongoing

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
<b>June 2004</b>				
23-25 June √	Annual Evaluation Conference on the Implementation of the State Programme for Prevention and Repression of Corruption	Ohrid, FYROM	50 total 2 (Serbia) 3 observers	Activity Funding TP-Recommendations 1 Consultant: K. Hemon PM, CPD, LPO
<b>July 2004</b>				
8-11 July √	<b>1<sup>st</sup> Regional “Start-up” Conference</b>	Budva, Montenegro	100 total 5 Observers	Activity Funding (TP-Inception report) 2 Consultants: K. Hemon; B.D Speville 3 Experts: D. Kreutzer; D. Kos; J P Bueb (PMU)
28 July √	Establishment of the WG for drafting/finalising the AC strategy and action plan	Belgrade, Serbia	10-20 total	Meeting Facilitation Activity Synopsis CPD, LPO
<b>August 2004</b>				
Mid-August and on-going ↑↓	Start Policy dialogue with SRSG re: increase of number of specialised investigators	Pristina, Kosovo	5-10 total	Meeting facilitation Activity Synopsis CPD, LPO
27 August √	Establishment of the WG for drafting the Action Plan on AC	Pristina, Kosovo	9 total	Technical assistance to the Meeting /funding Activity Synopsis CPD, LPO
<b>September 2004</b>				
13-14	Workshop sessions with M'	Podgorica,	5-10 total	2 consultants: K.

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
September √	authorities to re-structure initiate the final draft of AC and OC programme	Montenegro		Hemon; G. Klemencic (CARDS) Activity funding CPD, LPO
20 Sept- 15 October √	Initiate Expert Review on the Conflict of Interests provisions/existing compilation of the legal framework	Tirana, Albania	ACU	1-2 Consultant: V. Devine (CoE) and H. Whitton (OECD) TP-Written Expert Opinion CPD, LPO
End of October- End of January 2005 √ ↓	Initiate expert review of: - Law on funding of Political Parties - Law on Conflict of Interests - Law on Privatisation - Law on Public Procurement	Belgrade, Serbia	MOJ	1/2 Experts/Consultants per each review; TP-Expert Opinion per each review CPD, LPO Col--D. Kos (CoE) Col-A. Freiberg (OECD) FPP-D. Kos
22, 23, 24 September 3 days √	1 <sup>st</sup> Constituting Workshop for the WG to discuss the drafting issues and review the AC strategy and action plan ( <i>this activity shall be followed by 3 other technical workshops—see logical framework</i> )	Belgrade, Serbia	20 total	Meeting Facilitation/Funding 1 Expert: D. Kos Activity Synopsis CPD, LPO, PM
20-30 September √	Initiate Expert Review on the "Monitoring and Improvement of Indicators of Success in the AC Plan"	Tirana, Albania	ACU	1 Consultant: V. Devine TP-Written Opinion CPD, LPO
27 September -October √ ↓	Initiate the Policy Dialogue on the Establishment of the WG for review and update of the AC Programme <i>The WG will be meeting in 3 follow up workshops during October, November, December</i>	Zagreb, Croatia	5 total	Activity Funding LPO, CPD, PM
End of September √	Technical support on translation of the AC law and AC Programme. Preparation of a CD available for public distribution	Skopje, FYROM	SACC MOJ	Written report Activity Funding CPD, LPO
<b>October 2004</b>				
9 October √	(1) Technical Workshop to Review the Legal Framework and Mandate of the ACC and the need for additional services and bodies	Belgrade, Serbia	25-30 total	Meeting Facilitation/Funding 1 consultant: D. Kos TP-Expert Opinion Activity Synopsis CPD, LPO
25-26	1 <sup>st</sup> Workshop on reviewing the first	Pristina,	36 total	Activity Funding

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
October √ ↔	draft of PART I of the Anti-corruption Action Plan	Kosovo		1 Expert: D. Kos 1 Local expert (?) Activity Synopsis CPD, LPO
25 October √	RTD on the effectiveness of the revised Action Plan on AC IoS based on the expertise opinion	Tirana, Albania	35 total	Activity Funding Activity Synopsis TP-Paper CPD, LPO, PM
20 Oct-20Dec. √	Expert Review on the draft law of Conflict of Interests and existing provisions in the Albanian legislation	Tirana, Albania	ACU	1 CoE Expert (V. Devine) 1 OECD expert (H. Whitton)
30 October √	(2) Technical Workshop on Law Enforcement and Specialised Bodies	Belgrade, Serbia	15-20 total	1 consultant: D. Kos Activity funding, CPD, LPO
6-7 October √	(3) Technical Workshop on guidelines that will be used by WG when developing further the AC Strategy draft	Belgrade, Serbia	10-15	1 Consultant: G. Klemencic Activity funding Activity Synopsis CPD, LPO
19-20 October √	Technical Workshop on Prevention and Public Awareness	Belgrade, Serbia	20 total	1 consultant: B. D Speville Activity funding Activity Synopsis TP-Paper CPD, LPO
28-29 October Postponed unknown date ↕	Start up workshop on the Newly Established Unit for Combating Corruption within the Public Prosecutors' Office	Skopje, FYROM	25 total	Activity Funding Activity report 2 Consultants: R. Wyss; D. Thelesklaf TP-Paper Activity Synopsis CPD, LPO
<b>November 2004</b>				
Early November √	<b>Pilot Activity for Albania:</b> Establishment of the WG for the Case Management pilot Activity for Albania by a decision of the PG	Tirana, Albani	PG/WG	Activity report LPO
15-16 November √	(1) RTD of the WG on the finalisation of the AC and OC programme (1 day) and (2) <u>Training Seminar</u> on the AC Plan tools and guidelines (IoS) when implementing the AC Programme (1 day) <b>(Note: Activity to be followed by Matrix TP)</b>	Podgorica, Montenegro	15-20 total	3 consultants: G. Klemencic(CARPO) and K. Hemon BD. Speville Activity funding, Activity Synopsis CPD, LPO
Mid-November	Translation into English of the Law on the Financing of Political Parties	Skopje, FYROM	SACC, MOJ	LPO coordination

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
✓				
November ✓	Purchase of Computer equipment for the State Anticorruption Commission	Skopje, FYROM		Purchase funding Written Report LPO, CPD
<b>December 2004</b>				
7-8 December ✓	Workshop on the Policy Discussion re: AC Coordinating and Monitoring Body	Sarajevo BiH	30 total	Activity Funding 1 Consultant/Expert Activity Synopsis CPD, LPO
9-10 December ✓	4 <sup>th</sup> National Anti-corruption Conference to review impact and update AC Plan and Strategy	Tirana, Albania	80 total	Activity Funding Activity Synopsis CPD, LPO, PM, HTS
13-15 December ✓	Working Group Session to Review the first Draft of AC Strategy of Serbia	Palic, Serbia	15-20	Meeting facilitation 1 consultant: D. Kos TP-Expert Opinion CPD, LPO
29/11/04- 3/12/04 ✓	Funding of CPD (member) from SACC to participate to the GRECO plenary Session when evaluating FYROM compatibility report of GRECO	Strasbourg, France	1total	Funding of Participation CPD (V. Mihajlova), PMU, LPO
21-22 December ✓	Seminar on the Implementation issues on the corruption related offences in accordance to the newly enforced Criminal Procedure Law	Skopje, FYROM	50 total	1 Expert: P.Cornu 3 Local Experts Activity funding Written Report LPO, CPD
22 December ✓	Establishment of the Working Group and organisation of the Constituting Meeting the WG Procedures and timetable on the new AC Strategy and Policy Advise	Zagreb, Croatia	20 total	Activity Synopsis Dialogue Facilitation CPD, LPO
End of December ✓	<b>Pilot Activity for Albania:</b> Drafting the Calendar of activities for Pilot activity.	Tirana, Albania	PG	Activity report LPO
<b>January 2005</b>				
January -early February ↕	Publication of a CD/and or leaflets with the materials on the Fight Against Corruption.  Purchase of the Albanian Jurisprudence Program (JURIST)	Tirana, Albania	ACU	Publication and purchase funding Written report LPO, CPD
27-29 January	Compilation and Review of institutional comments on the Final Draft of Anti-corruption Strategy of	Belgrade, Serbia	MOJ/WG Other institutions	1 consultant: D. Kos Activity report CPD,LPO

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
	Serbia and Advocacy Committee Meeting with MOJ			
End January	Training Seminar on the Implementation issues on the corruption related offences in accordance to the newly enforced Criminal law	Skopje, FYROM	50 total	Activity funding Written Report LPO, CPD
End January	Training Seminar on the Implementation issues on the corruption related offences in accordance to the newly enforced CC and CPC	Podgorica, Montenegro	25 total	1 Expert/Consultant Activity funding Written Report LPO, CPD
<b>February 2005</b>				
February - April	<b>Pilot Activity for Montenegro:</b> Expert Review on drafting internal rules of procedures for the office of the SP	Podgorica, Montenegro	SP	1 Expert/Consultant (short term—1 or 2 week); Activity funding TP- Expert Opinion LPO, CPD
Mid February	Initiate establishment of the Anti-corruption Coordinating and Monitoring Commission to review of the part of the anti-corruption plan and strategy within the PRSP	Sarajevo, BiH	20 total	Activity funding and facilitation 1 Expert/Consultant Written report CPD, LPO
Mid February	Training Seminar of the ACMG members and contact points on the monitoring and management of the AC Action Plan (2 days)	Durres, Albania	35-40 total	Activity Funding 1 Expert/consultant Written report CPD, LPO
End of February or early March	Presentation of the National Strategy to government authorities, media, and representatives of Civil Society	Belgrade, Serbia	30-40 total	Activity Funding TP-Activity Report CPD, LPO
Mid February 2005	RTD to discuss and agree on recommendations based on expert opinion on the Conflict of Interests provisions/existing compilation of the legal framework	Tirana, Albania	25-30	Funding of the Activity TP- Recommendations Activity Synopsis CPD, LPO
February - April	<b>Pilot Activity for Montenegro:</b> Purchase of office equipment for the newly established office of SP	Podgorica, Montenegro	SP	Purchase funding Written Report LPO
End of February	Training Seminar on investigation and criminal proceedings of corruption related offences	Sarajevo, BiH	25 total	Activity funding 1 Local Expert/consultant Written report CPD, LPO
February - June	<b>Pilot Activity for BiH:</b> Training Seminar/Manual on the Practical Tools and guidelines in relation to the relevant legal provisions of	Sarajevo, BiH	25-30 total	Activity funding 1 Expert/consultant 1 short term national expert

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
	Investigation and Prosecution of corruption related offences – Manual of Tools			TP-Manual of Tools CPD, LPO
15 February	RTD of the WG on the establishment and the nature of the AC Agency to present the draft of the AC Agency	Pristina, Kosovo	20-25 total	Activity funding 1 Expert/Consultant TP-Recommendations CPD, LPO
End of February	Workshop on streamlining the Anti-corruption services knowledge and relevant policy advise for the relevant bodies, media and public representative groups.	Sarajevo, BiH	25-30 total	Activity Funding 1 Expert Activity Synopsis TP-Recommendations CPD, LPO, PM
End of February	2 <sup>nd</sup> Workshop on reviewing the first draft of PART II of the Anti-corruption Action Plan	Pristina, Kosovo	36 total	Activity Funding 1 Consultant: D. Kos 1 Local expert Written report CPD, LPO, PM
End of February	Publication (translation) of CoE and UN related conventions on corruption, organised crime and mutual assistance and cooperation	Skopje, FYROM	MOJ	Publication Funding Activity report CPD, LPO
End of February	<b>Pilot Activity for Albania:</b> Visit of the Working Group on the best practices from the German case management	Lower Saxony, Germany	PG/WG 6-7 total	Activity funding 2 Experts Activity Report LPO, PM
End of February	Initial Meeting of the working group to prepare new outline of Anti-corruption Programme for Croatia and ToR for the AC Commission	Zagreb, Croatia	WG / MOJ 15 total	Activity funding 1 Experts Activity Report LPO, PM
<b>March 2005</b>				
March - April	<b>Pilot Activity for Albania:</b> Start up for the Case Management – Preparation and production of centralised data base	Tirana, Albania	PG/WG 7-10	Activity Funding 1 IT Expert/consultant Written report LPO
March 1 day each	3 Training Seminars for Court Administration Staff (Law clerks) on anti-corruption measures within administration of judiciary	3 regional town TBD, FYROM	SACC Supreme Ct  40 total	Activity Funding Written report CPD, LPO
10-11 March	<b>1<sup>st</sup> Regional Thematic Seminar: On the AC Services</b>	Ohrid, FYROM	35-40 total	Activity funding 3-5 Experts/consultants Written report PMU, LPO
Mid of March	RTD to seek the approval of all involved institutions for the Final version of the Action Plan on Anti-corruption	Pristina, Kosovo	36 total	Activity Funding Written Report CPD, LPO
End-of March	Training for the WG on the Guidelines and IoS when redefining	Zagreb, Croatia	30-35 total	Activity Funding Activity Synopsis



TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
	a National Strategy against corruption			TP-Recommendations 1 Expert/Consultant CPD, LPO
Mid March	RTD on the strengthening of Triangle Commission's structure and functions	Tirana, Albania	30-35 total	Funding of the Activity TP- Recommendations CPD, LPO
End of March	Publication of the AC Plan following the National Conference endorsement	Tirana, Albania	ACU	Publication and Translation Funding
March (1) June (2)	Two RTDs on the follow up of the Expert opinions in implementing the new pieces of legislation related to the anti-corruption issues.	Belgrade, Serbia	25 total	Activity Funding Written report LPO
End March	Expert Review on the final draft law amending the Law on the Funding of Political Parties.	Tirana, Albania	ACU and WG 20-25 Total	Written Expertise TP-Expert Opinion LPO
<b>April 2005</b>				
Mid April 1 day each	3 regional training seminars on the new measures for prevention of corruption and issues related to implementation of the Law on Prevention of Corruption	3 regional towns TBD fYROM	70 total	2 local experts Activity Funding Activity report CPD, LPO
Early April	High level meeting to initiate a policy dialogue and recommendation referring to the establishment of the National Commission for the Prevention of Corruption	Podgorica, Montenegro	15-20 total	Meting facilitation 1 Expert/consultant TP-Expert Opinion CPD, LPO, PM
Early April	Technical Workshop: "Management and Monitoring of the AC National Programme"	Belgrade, Serbia	20-25	Activity Funding 1 Expert: D. Kos Activity Synopsis TP-Recommendations CPD, LPO, PM
End of April	RTD on the implementation aspects of the international standards applied to the Corporate liability provision	Sarajevo, BiH	25 total	Activity funding 1 Expert Activity report CPD, LPO
20 April - February 06	<b>Kosovo Pilot Activity:</b> Initiate the support and financial provision (based on a previous Plan of Assistance in detail) for the establishment of the new office of AC Agency. (Provision of Office Equipment too)	Pristina, Kosovo	ACA OGG	Activity funding 1 or 2 Expert/Consultant Written report CPD, LPO
End of April	WG Workshop to review and present Recommendations on Policy Advise on establishing the AC Monitoring Body.	Zagreb, Croatia	25 total	Activity Funding 1 Expert/Consultant TP-Expert Opinion/Rec CPD, LPO

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
End of April	Expert review on the existing legislation related to Immunities of High Officials (including judges and prosecutors)	Tirana, Albania	ACU	1 Expert/Consultant TP-Expert Opinion CPD, LPO
End of April	Finalisation of the AC Action Plan – Presentation to SRSG and PISG authorities seeking approval	Pristina, Kosovo	25 total	Facilitation of the meeting/ CoE and OGG (Office of Good Governance / Office of Prime Minister) Letter Written report CPD, LPO
End of April	Training Seminar on the Rules internal rules of procedures for the office of the SP	Podgorica, Montenegro	SP	1 Expert/Consultant Activity funding Activity report LPO, CPD
<b>May 2005</b>				
Early May 2 days	Training Seminar on Public Information Law for local government elected officials	TBD, Albania	40 total	1 local expert Activity funding Written Report CPD, LPO
May	Publication of the Information Package on SACC reports/framework for public and institutional use and information dissemination	Skopje, FYROM	SACC	Publication Funding Activity report CPD, LPO
May-June	On practice training on strengthening the capacities of ACIA to monitor and coordinate the implementation of the AC programme	Podgorica, Montenegro	ACIA	1 short term expert (1 week-twice during the period) Written report CPD, LPO
End of May	National Conference on Endorsement of the Redefined National Anti corruption Strategy	Zagreb, Croatia	30 total	Activity funding Written report CPD, LPO
End of May	Training Seminar on the substance and Treaty law on setting up standards and implementing the relevant AC and Mutual assistance CoE conventions/instruments	Pristina, Kosovo	30 – 35	Activity funding 2 Expert/Consultant 1 Local expert Written report CPD, LPO
End of May	RTD on the final recommendations seeking approval based on the expert review of the existing legislation related to Immunities of High Officials (including judges and prosecutors)	Tirana, Albania	ACU	Activity Funding TP-Final Recommendations CPD, LPO
<b>June 2005</b>				
Early June	Training Seminar on Public Information Law for Judiciary	TBD, Albania	40 total	1 Local expert Activity funding

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
	administration (Courts Clerks, and Chancellors)			Written Report CPD, LPO
Early June	Training Seminar for the Anti-corruption coordinating and monitoring commission members	Sarajevo, BiH	15-20 total	Activity funding 1 Expert/consultant Written report CPD, LPO
Mid June	Annual Evaluation Conference on the Implementation of the State Programme for Prevention and Repression of Corruption	Ohrid, FYROM	60 total	Activity Funding TP- Recommendations 1 Consultant PM, CPD, LPO
Mid June	Training Seminar "Case Study" practicalities of initiating and proceedings against a corruption related offence	Zagreb, Croatia	20-25 total	Activity funding 1 Expert/consultant Activity report LPO
End of June 2 days  +  1 day (review)	<b>2<sup>nd</sup> Regional Thematic Seminar: On the Legislation Reform Services</b>  +  <b>2<sup>nd</sup> Regional Conference (Mid-term review of PACO-Impact project)</b>	Belgrade, Serbia	50 total  +  20 (Mid-term Rev)	Activity funding 3 Experts/consultants Written report PMU, LPO  SIDA/QG Representatives 2 Evaluators TP-Mid-term report
Early June	RTD on operational tools and practices to be used among relevant bodies: ACIA, SP, MoI, under the coordination of the National Commission for the Prevention of Corruption	Podgorica, Montenegro	15-20 total	Activity funding 1 expert/consultant Written report, and conclusions (chart) CPD, LPO
End of June	RTD on the international standards when applying the new law on Conflict of Interests	Sveti Stefan, Montenegro	30 total	Activity funding 1 Expert/consultant CPD, LPO
<b>July 2005</b>				
Early July	Expert review on of the policy and legal framework of the ACU and ACMG status (structure, composition, accountability)	Tirana, Albania	ACU	1 Expert (on line) TP-Expert opinion LPO, CPD
Mid July	RTD of the WG on the establishment and the nature of the AC Agency	Pristina, Kosovo	25 – 30	Activity funding TP-Recommendations CPD, LPO
<b>August 2005</b>				
<b>September 2005</b>				
Mid September 1 day per	<b>Pilot Activity for Albania</b> --6 Regional trainings to represent the new case management system	6 different regional offices, Albania	100 total	Activity funding Activity report LPO

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
each	introduces by the PG decree/order			
End of September 2 days	<b>3<sup>rd</sup> Regional Thematic Seminar: On the AC Services</b>	Tirana, Albania	50 total	Activity funding 2 Experts/consultants Written report PMU, LPO
End of September	Initiation Publication and dissemination of the Final version of the AC Programme (AC Plan and Strategy)	Zagreb, Croatia	MOJ	Publication Funding Report LPO
End of September	Training on Treaty law on setting up standards and implementing the relevant AC and Mutual assistance CoE conventions/instruments	Zagreb, Croatia	15-20 total	Activity funding 1 Expert/Consultant Written report CPD, LPO
<b>October 2005</b>				
October	<b>Pilot Activity for FYROM:</b> Initiate Twinning activity with the counterpart AC institutions of Latvia and Italy	Latvia	15 total	Activity Funding Written report CPD, LPO
October	<b>Pilot Activity for FYROM:</b> Continuations of Twinning activity with the counterpart AC institutions of Latvia and Italy	Latvia	15 total	Activity Funding Written report CPD, LPO
Mid-October	Training Seminar on the Relevant Anti-corruption Conventions and their implementation. Use of International standards in Criminal Proceedings against Corruption related offences.	Belgrade, Serbia	20 total	Activity Funding Activity Synopsis 1 Expert/Consultant CPD, LPO, PM
<b>November 2005</b>				
mid-November 2 days	<b>4<sup>th</sup> Regional Thematic Seminar: On Prosecutorial Services</b>	Hamburg, Germany	35-40 total	Activity funding 3-5 Experts/consultants Written report PMU, LPO
End of November	<b>Pilot Activity for Croatia:</b> Purchase of Video-Conference Equipment for USKOK	Zagreb, Croatia	USKOK and field offices	Purchase funding
End of November	<b>Pilot Activity for Croatia:</b> Provide SIMS Equipment for the Economic Crime Dept at the Mol	Zagreb, Croatia	Mol ECD	Purchase funding
<b>December 2005</b>				
October	<b>Pilot Activity for FYROM:</b> Continuation of Twinning activity with the counterpart AC institutions of Latvia and Italy	Italy	15 total	Activity Funding Written report CPD, LPO
<b>January 2006</b>				
End of 2	<b>Pilot Activity for FYROM:</b>	Skopje,		Activity funding

TIMING	ACTIVITY	VENUE	NO. OF PARTICIPANTS	COE INVOLVEMENT/INPUTS
days January  2 days	Continuation of Twinning activity with the counterpart AC institutions of Latvia and Italy	fYROM	35 total	1 Expert CPD, LPO
End of January	<b>5<sup>th</sup> Regional Thematic Seminar on the AC Services</b>	Zagreb, Croatia	50 total	Activity funding 2 Experts/consultants Written report PMU, LPO
<b>February 2006</b>				
End of February 3 days	<b>6<sup>th</sup> Regional Project Evaluation and Final Conference</b>	Strasbourg, France	100 total	Activity funding 2 Experts/consultants 2 Evaluators Written Final Project report PMU, CPDs, Observers

**10 ANNEX III: FINANCIAL BALANCE AS AT 23 JULY 2004****PACO IMPACT: current balance - 23 July 2004 (estimate only)**

Expenses	Unit	# of units	Unit rate (in EUR)	Budget	Committed	Disbursed
<b>1. Human Resources</b>						
1.1 Salaries (gross amounts, local staff)						
Local project officers (7)	Work months	140	1 000	140 000,00 €	35 815,00 €	2 539,00 €
1.2 Salaries (gross amounts, expat/int. staff)						
Project manager Strasbourg	Work months	24	7 000	168 000,00 €	41 456,00 €	20 730,00 €
Short-term experts	Work days	150	175	26 250,00 €	4 500,00 €	0,00 €
Short-term consultants	Work days	110	450	49 500,00 €	14 137,50 €	7 312,50 €
<b>Subtotal Human Resources</b>				<b>383 750,00 €</b>	<b>95 908,50 €</b>	<b>30 581,50 €</b>
<b>2. Travel and per diems</b>						
2.1 Per diems for missions/travel						
2.1.1 Abroad (staff assigned to the Action)						
Project manager and local project officers	Per diem	120	162	19 440,00 €	3 257,64 €	1 861,10 €
Short-term experts and consultants	Per diem	260	162	42 120,00 €	1 577,00 €	1 245,00 €
2.1.2 Local (staff assigned to the Action)	Per diem					
Local project officers	Per diem	90	162	14 580,00 €		
2.1.3 Seminar/conference participants	Per diem					
1. regional seminar (45 participants/3nights)	Per diem	135	162	21 870,00 €	11 082,43 €	26 092,57 €
2. regional seminar (45 participants/3nights)	Per diem	135	162	21 870,00 €		
3. regional seminar (45 participants/3nights)	Per diem	135	162	21 870,00 €		
In-country events	Per diem	120	162	19 440,00 €		
2.2. International travel						
Project manager and local project officers	Per flight	38	500	19 000,00 €	3 446,43 €	9 137,65 €
Short-term experts and consultants	Per flight	50	500	25 000,00 €	1 410,39 €	4 374,16 €
1. regional seminar (45 participants)	Per flight	45	500	22 500,00 €	49 957,38 €	4 042,62 €
2. regional seminar (45 participants)	Per flight	45	500	22 500,00 €		
3. regional seminar (45 participants)	Per flight	45	500	22 500,00 €		
2.3 Local transportation						
Local travel	Per month	24	1 500	36 000,00 €	696,00 €	2 784,00 €
<b>Subtotal Travel</b>				<b>308 690,00 €</b>	<b>71 427,27 €</b>	<b>49 537,10 €</b>
<b>3. Equipment and supplies</b>						
3.1 Purchase or rent of vehicles	Per vehicle					
3.2 IT/office equipment for anti-corruption institutions	Units	6	10 000	60 000,00 €		
<b>Subtotal Equipment and supplies</b>				<b>60 000,00 €</b>		
<b>4. Local office/Action costs</b>						
4.1 Vehicle costs	Per month					
4.2 Office rent	Per month				150,00 €	0,00 €
4.3 Consumables - office supplies	Per month	24	2 100	50 400,00 €		
<b>Subtotal Local office/Action costs</b>				<b>50 400,00 €</b>	<b>150,00 €</b>	<b>0,00 €</b>

<b>5. Other costs, services</b>						
5.1 Publications						
Publications, web sites, prevention materials	Per institut.	7	9 000	63 000,00 €	5 170,00 €	2 100,00 €
5.2 Monitoring and evaluation costs		1	15 000	15 000,00 €		
5.3 Translation, interpreters						
Translation of materials	Per institut.	7	5 000	35 000,00 €	5 141,00 €	400,00 €
5.7 Costs of conferences/seminars						
Regional meetings (3) (logistics, meeting rooms, interpretation)	contract	3	8 000	24 000,00 €	758,00 €	3 032,00 €
In-country events	contract	48	4 000	192 000,00 €	3 612,26 €	4 009,74 €
<b>Subtotal Other costs, services</b>				<b>329 000,00 €</b>	<b>14 681,26 €</b>	<b>9 541,74 €</b>
<b>6. Other</b>						
Miscellaneous cost				18 160,00 €		
Cost for short-term consultants, studies, materials, workshops/training events related to pilot activities to be determined	per project area	7	50 000	350 000,00 €		
<b>Subtotal Other</b>				<b>368 160,00 €</b>		
<b>7. Subtotal direct costs of the Action (1-6)</b>				<b>1 500 000,00 €</b>		
8. Administrative costs			0	0,00 €		
<b>9. Total eligible costs of the Action (7+ 8)</b>				<b>1 500 000,00 €</b>	<b>182 167,03 €</b>	<b>89 660,34 €</b>

**11 ANNEX IV: PACO IMPACT REVISED BUDGET (26/07/04)**

PACO IMPACT: revised budget (version 26 July 04)	All Years			
	Expenses	Unit	# of units	Costs (in EUR) <sup>3</sup>
<b>1. Human Resources</b>				
1.1 Salaries (gross amounts, local staff)				
Local project officers (7)	Work months	140	1 000	140 000
1.2 Salaries (gross amounts, expat/int. staff)				
Project manager Strasbourg	Work months	24	7 000	168 000
Short-term experts	Work days	150	175	26 250
Short-term consultants	Work days	110	450	49 500
<b>Subtotal Human Resources</b>				<b>383 750</b>
<b>2. Travel and per diems</b>				
2.1 Per diems for missions/travel				
2.1.1 Abroad (staff assigned to the Action)				
Project manager and local project officers	Per diem	120	166	19 920
Short-term experts and consultants	Per diem	260	166	43 160
2.1.2 Local (staff assigned to the Action)	Per diem			
Local project officers	Per diem	90	166	14 940
2.1.3 Seminar/conference participants	Per diem			
1. regional seminar (90 participants/3nights)	Per diem	270	80	21 600
5 thematic regional seminars (30 participants each/3 nights)	Per diem	450	100	45 000
Final regional conference (90 participants/3 nights)	Per diem	270	100	27 000
In-country events	Per diem	120	166	19 920
2.2. International travel				
Project manager and local project officers	Per flight	38	500	19 000
Short-term experts and consultants	Per flight	50	500	25 000
Start up conference (90 participants)	Per flight	90	200	18 000
5 thematic regional seminars (30 participants each)	Per flight	150	250	37 500
Final regional conference (90 participants)	Per flight	45	250	11 250
2.3 Local transportation				
Local travel	Per month	24	1 500	36 000
<b>Subtotal Travel</b>				<b>338 290</b>
<b>3. Equipment and supplies</b>				
3.1 Purchase or rent of vehicles	Per vehicle			
3.2 IT/office equipment for anti-corruption institutions	Units	6	10 000	60 000
<b>Subtotal Equipment and supplies</b>				<b>60 000</b>
<b>4. Local office/Action costs</b>				
4.1 Vehicle costs	Per month			
4.2 Office rent	Per month			
4.3 Consumables - office supplies	Per month	24	2 100	50 400
<b>Subtotal Local office/Action costs</b>				<b>50 400</b>



<b>5. Other costs, services</b>				
5.1 Publications				
Publications, web sites, prevention materials	Per institut.	7	9 000	63 000
5.2 Monitoring and evaluation costs		1	15 000	15 000
5.3 Translation, interpreters				
Translation of materials	Per institut.	7	5 000	35 000
5.7 Costs of conferences/seminars				
Regional meetings (3) (logistics, meeting rooms, interpretation)	contract	6	5 000	30 000
In-country events	contract	48	4 000	192 000
<b>Subtotal Other costs, services</b>				<b>335 000</b>
<b>6. Other</b>				
Miscellaneous cost				17 560
Cost for short-term consultants, studies, materials, workshops/training events related to pilot activities to be determined	per project area	7	45 000	315 000
<b>Subtotal Other</b>				<b>332 560</b>
<b>7. Subtotal direct costs of the Action (1-6)</b>				<b>1 500 000</b>
8. Administrative costs			0	0
<b>9. Total eligible costs of the Action (7+ 8)</b>				<b>1 500 000</b>

## 12 ANNEX V: RECOMMENDATIONS FROM GENDER ANALYSIS REPORT<sup>10</sup> (EXTRACTS FROM THE REPORT)

### 12.1 Addressing gender and corruption in practice

As defined by the United Nations' Report of the Economic and Social Council for 1997, gender mainstreaming is:

“... the process of assessing the implications for women and men, of any planned action, legislation, policies or programs, in all areas and at all levels. It is a strategy of making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres, so that women and men benefit equally and inequality is not perpetuated.”<sup>11</sup>

Employing gender mainstreaming to devise more successful anti-corruption policies would amongst other things mean examining: the ways in which corruption affects women and men (collecting and analysing data in this respect), the ways in which anti-corruption laws would affect women and men; the way in which difficulties with the implementation of anti-corruption policies affect women and men; and examining policy options given the findings of a gender analysis. Obviously, the key to a successful anti-corruption gender sensitive policy-making lies in the quality of gender – specific information collected and analysed. As noted above, the countries in Southeast Europe experience exactly those difficulties with data collection that would allow them to conduct an in-depth gender analysis, which could then serve as basis for a quality gender sensitive policy-making.

In the absence of such data there is a danger to pursue options that might not be as effective. According to Baden (1999),<sup>12</sup> gender perspectives in mainstream governance discourse often have a limited view in calling for more women in formal political life and strategies to achieve this, without considering the need for transformation of the institutions of power – a much more longer-term and challenging task. This is particularly relevant when examining the links between good governance and the gendered causes and consequences of women's disadvantaged status in society. Although women's greater participation in governance may be a good in itself, the increased numbers alone may not be a sufficient condition for the articulation of (disadvantaged) women's gender interests, or to affect decision – making to make a positive impact.

A good example of such a dynamic is provided by Mayoux (1998)<sup>13</sup> who, while examining challenges of gender accountability among women's NGOs, focused on participation, effectiveness and impact as aspects of accountability to women's interests. Mayoux finds that often practical limitations to women's participation in public and political debate are exacerbated by the limitations on women's 'voice' which relate to actual or perceived male resistance and silencing or the difficulty of articulating women's interests within the existing framework of public debate. For disadvantaged women, Mayoux finds,

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<sup>10</sup> This analysis report has been prepared by Ms. Kristina Hemon, CoE Consultant. The full report is available upon request and can be found on PACO Impact site. The views expressed in this report do not necessarily reflect official positions of the Council of Europe

<sup>11</sup> Taken from Sally Baden's *Gender, Governance and the 'Feminisation of Poverty'*, Institute of Development Studies, Background Paper No. 2, Meeting on Women and Political Participation: 21<sup>st</sup> Century Challenges, UNDP, 24-26 March 1999, New Delhi, India.

<sup>12</sup> Ibid.

<sup>13</sup> Mayoux, L: *Gender accountability and NGOs: avoiding the black hole*, Miller, C. and Razavi, S (Eds.) *Missionaries and Mandarins: Feminist Engagement with Development Institutions*, ITDG, London, 1998

disempowerment and isolation is a result of not just of their gender subordination in society, but of combined forms of exclusion that can be linked to social status or ethnicity.

Also, increase in women's participation does not necessarily translate into effectiveness in articulating their gender interests in public institutional contexts. Where women are present in only small numbers, they may be isolated and find it difficult to promote group interests. Their immediate preoccupations may reflect practical concerns which flow from the existing divisions in labor force or political and economic difficulties, rather than focus on more strategic challenges to underlying power structures that give rise to corruption.

Also, there is a question of internal accountability and transparency within women's organizations and alliances. There is always a possibility that women in positions of power will be co-opted, or allow their gender interests to be subsumed by class (e.g. urban or rural), or ethnic interests. This effect may be exacerbated by their 'junior' positions in political structures whereby women may feel obliged to constituencies other than those they claim to represent on a grass root level. Finally, to assume homogeneity of women and uniformity of their interest would be a mistake as there are real divisions between women. For example, some women benefit from the status quo or may see no interest in raising concerns of women of other ethnicity or class.

Still, democratisation and development will inevitably bring other gender interests concerning environment, children's rights, and other economic and political issues. Greater participation may thus lead to greater competition over resources amongst NGOs, but also offer opportunities for building strategic alliances between different interest groups, be they male or female based. An obvious example is an already emerging synergy between anti-trafficking NGOs and anti-corruption watchdogs in the Southeast Europe region.

Anti – corruption policies have transparency and accountability as their main priorities which require changes in institutional rules and practices, as well as in actual resource allocations. This is the most difficult part of any anti-corruption effort as it touched the heart of the matter: secrecy and individual responsibility. Certain areas of policy and decision making, especially those concerning finance and allocation of resources, have been particularly resistant to inclusion of feminist agenda. Women, especially when in small numbers, can be easily sidelined into 'women's issues' in the social sectors such as health and education, and may themselves feel more comfortable in such positions rather than taking on a stronghold of political and economic power. Such resistance, if encountered, reduces impact of gender sensitive policies.

Decentralization, currently a great focus in Kosovo (Serbia and Montenegro) and the FYROM, is often claimed to offer opportunities for women's participation in public life and governance. Decentralization is thought to create more opportunities for women to participate because logistical and other barriers to their participation are fewer and may lead to greater responsiveness of locally provided services to the needs of women as major users of these services. It is, however, not the case that women necessarily achieve greater representation at local compared to national level. If that is to happen, decentralization would have to be used as a vehicle for promoting women's representation with a requirement to reserve a certain number of seats for women. Such policies may be legally required in many countries of Southeast Europe, but the challenge is always in their consistent implementation.<sup>14</sup> Still there are no guarantees as competition for resources at the local level can be as fierce and as corrupt and dominated by local patron-client or ethnically – dominated networks on the national level, and can serve to exclude women rather than to encourage them into the political process.<sup>15</sup>

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<sup>14</sup> Sally Baden's *Gender, Governance and the 'Feminisation of Poverty'*, Institute of Development Studies, Background Paper No. 2, Meeting on Women and Political Participation: 21<sup>st</sup> Century Challenges, UNDP, 24-26 March 1999, New Delhi, India.

<sup>15</sup> UNCHS(Habitat): *Policy Paper on Women and Urban Governance*, draft November 2000.

As discussed, many are challenges to increased women's participation in governance and public life. Their engagement in anti-corruption politics and likelihood to make an impact on corruption, even with increased participation, may be even more challenging given the importance of the issues for gender interests and the level of resistance to anti – corruption changes. One group of people would have a lot to gain, while a small group of people, which accrues benefits from corruption, would have a lot to lose. The rate of success depends on who is more powerful. Taking into account contextual specificities of Southeast Europe, one needs to carefully think about what policies to employ so to achieve a greater gender sensitive impact during the creation and the implementation of anti-corruption plans in the region.

A useful guidance in this respect is offered in the UNDP's handbook on gender mainstreaming in practice.<sup>16</sup> The handbook presents a useful way to think about achieving impact in making policies more gender sensitive. They identify ten steps in gender mainstreaming:

STEPS	EXPLANATION
<u>Identify stakeholders and decision – makers in a policy area?</u>	The purpose of this would be to assess the extent of gender balance in decision-making bodies and among stakeholder (parliaments, governments, anti-corruption bodies, NGOs, academics (in gender departments, etc.)
<u>What is the agenda?</u>	In this case, it is an anti-corruption agenda.
<u>What is the goal?</u>	In identifying this goal, if one is to make a gender impact one needs to discern between the needs of men and women, i.e., do anti-corruption policies and projects designed to help implement them benefit men and women equally?
<u>What information do we have?</u>	Given the objective (to reduce corruption and to make anti-corruption policies more gender sensitive), the purpose would be to identify: agencies and bodies involved (see question 1); responsibilities and activities of these bodies; legislative basis (those concerning corruption as well as gender). A table that identifies the issues; gender sensitive policies; actors and carries of action; and monitoring and evaluating indicators would be a helpful tool in this respect. Consultative process with all the relevant actors in this respect would be another.
<u>Refining the issues: research and analysis?</u>	As discussed in the text, this is key to designing quality policies able to make an impact. As noted above, all the countries in the region lack gender specific data and rarely, if ever, undertake in-depth gender analyses. Such analyses require a sophisticated level of expertise and deep knowledge of the context.

<sup>16</sup> Astrida Neimanis: Gender Mainstreaming in Practice: a Handbook, UNDP 2001

<p><u>Formulating project interventions from gender perspective</u></p>	<p>Such formulation would be based on the information collected through steps 1 to 5, the last one being the most challenging given the constraints.</p>
<p><u>Arguing that gender matters</u></p>	<p>This is a very important part that has a great potential to build support and alliances for policy reform. Thus, advocated of gender sensitive anti-corruption reforms would address issues of social and criminal justice; human rights and equity; credibility and accountability; implications for efficiency and sustainability (macro-level); implications for quality of life (micro – level); alliances with other stakeholder in society and abroad with regards to EU integration and its political momentum and thus help frame reforms as a win-win situation; and chain reaction that would lead to other positive reforms, which, when combined, may constitute a critical mass for substantive democratisation and rule of law.</p>
<p><u>Monitoring: keeping a gender –sensitive eye on things</u></p>	<p>Once a gender sensitive policy is created, monitoring of its implementation must follow.</p>
<p><u>Evaluation: how did we do?</u></p>	<p>This is a very important part of the exercise as it involves the actual application of accountability and transparency in view of stated goals. It combined with step 8 may help build support for continued improvements. In case evaluation is not positive, it still offers lessons from which to learn how to be more effective.</p>
<p><u>En-gendering communication</u></p>	<p>This step concerns developing communication strategy that would take account of different gender preferences towards the communication media and manner of communication, including the language used.</p>

Although a useful tool for thinking through gender mainstreaming, i.e., making and implementing a strategy that would increase gender awareness and sensitivity in public policy as a whole, the ten-steps method has not been designed for anti-corruption policies in particular. Because it is such comprehensive method, its applicability is somewhat limited and beyond a scope of PACO Impact project. Nevertheless, it offers useful pointers as to how to introduce gender dimension to the design of and the implementation of anti-corruption strategies and action plans in Southeast Europe. For example, steps 1-4 have been largely addressed and require only a slight refinement in terms of inclusion of women’s NGOs into a consultative process, especially those that deal with trafficking of human beings and other corruption related subjects.

The implementation of the step five, although a key to designing successful context-based policies, is severely limited due to several reasons. The context-based capacity for in-depth gender analysis is limited as discussed above. Also, such an analysis for each of the seven project areas may be beyond

the scope of PACO Impact project. Nevertheless, PACO Impact project could consider including gender experts in its capacity building activities. Step six has to some extent been addressed through writings of this concept paper. Steps 7 – 10 can be incorporated into the PACO Impact activities, while countries can be encouraged to incorporate them into their anti-corruption strategies and plans. Based on this, the following recommendations are presented:

- Facilitate involvement of women's groups, especially those tackling trafficking and other corruption related issues, into anti-corruption strategy and action-plan making consultative process. Consider supporting their participation in the appropriate PACO Impact in-country and regional activities, such as those aiming at law-makers (members of parliament and civil servants involved in law drafting).
- Foster and support regional cooperation amongst anti-corruption NGOs and watchdogs and women associations so to help strengthen an emerging regional network
- Involve gender specialists and experts in regional and in-country activities, as appropriate, such as those targeting lawmakers, parliamentarians, and anti –corruption agencies and NGOs to educate and raise awareness on the link between gender and corruption.
- Provide gender expertise in workshops on drafting anti-corruption strategies and action-plans so to help achieve gender mainstreaming in anti-corruption policies.
- Consider other options for assistance based on consultations with regional women's groups and anti-corruption activists in regards to gender research and analysis (i.e., identifying the availability of gender sensitive laws, the implementation challenges, and stakeholders and actors in this respect)
- In pilot projects, especially those that address decentralization and local governance, consider providing gender expertise aiming at capacity building of women representatives in local governance (e.g., accountability systems and budgetary analysis skills at local government level)
- Consider drawing on positive experiences of other transition countries in gender mainstreaming.

## **12.2 Conclusion**

Challenges to gender mainstreaming of anti – corruption policies are many. Donors thus have to be highly sensitive to the potentially counterproductive results of interventions in this area. Promoting women in political life (at national or local level) will not in itself be sufficient to reduce corruption.

Complex interaction of socio – economic, political and institutional factors also contribute to corruption, much of which is beyond the scope of this project. The expectations as to the impact that can be made must be realistic. This is especially important given the limitations to acquiring an in-depth context-based gender analysis that could provide basis for custom designed gender sensitive policies in each project area.

Building links and dialogue between women inside and outside political structures to build accountability, particularly in periods of legislative change, would thus be a useful contribution. Support to developing technical and political skills of women representatives to intervene in legislative processes, irrespective of their number, would be another.

The language and mechanisms employed in pursuing gender and anti-corruption goals will also be very important, since an appearance of top-down and culturally insensitive approach could be counterproductive. An important dimension that can be used to strengthen alliances to support anti-corruption reforms is the countries' political commitment to EU integration and its current political momentum. It would thus be useful to view and present gender mainstreaming in regards to anti-

corruption efforts as an important contribution to a long term and comprehensive approach to improving institutional, judicial, and political capacities in each country.

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