



Ministry of Justice
Directorate for
Anti-Corruption Initiative



Prevention of Corruption: Implementation of Integrity Plans

04 - 06 June 2013

IRC-10-W

EXTERNAL REPORT

Background

The EU Commission has intensified its dialogue on the rule of law with candidate and potential candidate countries. In the reports on these countries, the fight against corruption has been highlighted. The aim of the dialogue on the rule of law is to strengthen benchmarking aimed at enhanced transparency at earlier stages of the accession process as well as building capacities and establishing effective tools in fighting corruption in respective countries.

One of the most important measures in the process of integration of candidate and potential candidate countries into the EU is the prevention of corruption. In order to improve cooperation, coordination and information sharing, this event aimed to increase understanding of the major causes of this phenomenon, share experience and best practices in the region, bring together practitioners and experts from specialized anti-corruption authorities and provide a platform to discuss the current status and challenges in the development and implementation of integrity plans, as well as regulations on lobbying.

Purpose

The purpose of the workshop was to bring together practitioners from specialized anti-corruption authorities and other relevant state institutions in order to share best practices and discuss the common issue of concern - implementation of integrity plans.

The objectives were:

- To outline the EU anti-corruption policy;
- To explore the legal framework in the SEE regarding integrity and lobbying;
- To promote integrity and implementation of corruption risk analysis and integrity plans in public administration;
- To examine integrity plans in anti-corruption strategies and policies;
- Control and supervision of lobbying in the SEE countries: current status and challenges;
- To share anti-corruption policies and strategies among EU candidate and potential candidate countries;
- To promote, facilitate and support international cooperation on the prevention of and fight against corruption in the region.

Acknowledgements

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Venue and participation

The event was held in the town of Podgorica (ME) from 04 to 06 June 2013. The Workshop gathered 56 participants – decision-making officials and experts dealing with the activity subject matter and representing national institutions, ministries and anti-corruption authorities.



Group photo

The Programme

Mr Goran Durutović, PR Service and NGO Communication Officer at the Montenegrin Directorate for Anti-Corruption Initiative, welcomed distinguished speakers and respective participants and kindly opened the event, inviting Ms Ratković, the Director of the Directorate for Anti-Corruption Initiative, to take the floor and give her opening remarks.

Ms Ratković stressed the exceptional importance of applying the principles of integrity in the fight against corruption. Among other things, these principles build on clear ethical and moral standards and requirements of the institutions and of public employees to act responsibly in relation to the fundamental values of a democratic society, such as the rule of law. Ms Ratković pointed out that recognizing integrity as an important principle and tool in the fight against corruption, Montenegro had introduced in its legislation the obligation to adopt integrity plans for all state organs. Thus, the Action Plan for the Fight against Corruption and Organized Crime for the period 2013-2014 foresees the adoption and implementation of integrity plans in the public sector. As regards civil servants and employees, it stipulates that public authorities shall issue integrity plans that include measures to prevent and eliminate the possibility of occurrence and development of corruption, in accordance

with the guidelines of administration authority in charge of anti-corruption activities.

In his opening speech, Ambassador Mandić, RACVIAC Director said that the EU had intensified its dialogue on the rule of law and the fight against corruption in respect of candidate and potential candidate countries. He added that the aim of the dialogue on the rule of law was to strengthen benchmarking aimed at enhanced transparency at earlier stages of the accession process as well as building capacities and establishing effective tools for fighting and preventing corruption in respective countries. Since one of the most important measures in the process of integration of candidate and potential candidate countries into the EU is the prevention of corruption, he pointed out that this event would also improve cooperation, coordination and information sharing, as well as increase understanding of the major causes of this phenomenon, by sharing experiences and best practices among the countries of the region.



Opening remarks session

Mr Alberto Cammarata, Head of the Political Section of the EU Delegation to Montenegro, pointed out that this kind of events were very important as they provided a platform for sharing best practices and exchanging information. He stressed that the topic of this Workshop, the implementation of integrity plans, was essential in state institutions, while the dialogue on this topic among the participants was one of the most important tools in reaching the established objectives.

The event continued with Panel I on the Survey of the EU Anti-Corruption Policy: Developments and Achievements. Mr Aurimas Kudukis from the Special Investigation Service

of the Republic of Lithuania, pointed out the following corruption prevention measures:

- Corruption risk analysis;
- National anti-corruption programme;
- Sectoral and institutional anti-corruption programmes;
- Anti-corruption assessment and drafting of legislation;
- Provision of information about a person seeking or holding office at a state or municipal agency;
- Education and raising awareness of the public;
- Other measures of corruption prevention provided for by law.

As part of this Panel, the Croatian representative Mr Bojan Ernjaković from the Ministry of Justice delivered a presentation on the Prevention of Corruption in the Republic of Croatia. Mr Ernjaković informed the audience that the anti-corruption programme in Croatia was based on the Anti-Corruption Strategy, adopted by the Government on 19 June 2008, and on the Action Plan, the implementation of which included the majority of governmental bodies. He pointed out that guidance, solutions and goals of the Anti-Corruption Strategy and Action Plan were related with the public companies, with particular emphasis on strengthening accountability and transparency, creating conditions for the prevention of corruption at all levels and the affirmation of zero tolerance to corruption.

Panel II was dedicated to the topic of Integrity Plans and Measures in the Public Sector: Legal Frameworks in the EU and SEE. Mr Jure Škrbec, MA, Anti-Corruption Officer of the Slovenian Commission for the Prevention of Corruption presented integrity plans and measures in the public sector, providing legal frameworks in the EU and beyond. Mr Škrbec highlighted the following:

- Mandatory tool (based on law) for all public entities;
- Mandatory integrity manager / officer;
- One central and independent support and monitoring body;
- Identifying risks and threats in the public sector;
- Analysing corruption reports for identifying risks in particular institution;

- Increase in the number of people and institutions that are in favour of such solution – risk management;
- Effective monitoring.

The viewpoint of the SEE countries was presented by Ms Dragana Krunić, Head of Division for Integrity Plans in the Serbian Anti-Corruption Agency, and Mr Harun Mert, Deputy General Director of the Turkish Ministry of Justice. Ms Krunić informed the participants that approximately 3900 representatives of the public authority bodies had been educated about the concept and importance of integrity plans and trained in developing this document in their own institutions. She underlined that the adoption and implementation of integrity plans served to the benefit to the institutions, resulting in increased efficiency and improved quality of work, standardization of the work process, control of financial flows, consistent application of legal acts and internal documents and increased confidence in the institutions.



Original example of the Montenegrin fight against corruption

Mr Mert stressed that the issues related to the implementation of the law were based on the “Regulation on the Principles of Ethical Behaviour of the Public Officials and Application Procedures and Essentials”. In terms of integrity, the Regulation provides that “in all their actions and transactions, public officials shall act in accordance with the principles of legality, justice, equity and integrity; they cannot discriminate based on reasons such as language, religion, belief, political opinion, race, sex, etc. while

performing their duties or providing services; they cannot act in a manner violating or restricting human rights and cannot behave in a way obstructing equal opportunities.” Mr Mert added that although some legal and practical instruments had already been set in place to promote the integrity of public officials, they had to be improved and new ways of doing it found. “Integrity plans seem to be useful and efficient tools for his purpose”, he concluded.



Working session

Following respective national perspectives, there was a question and answer session and an open discussion.

The second working day started with Panel II on practical effects of building capacity of public administration by implementing integrity plans - lessons learned and challenges. Mr Vismantas Cepulis, Special Expert from Special Investigation Service of the Republic of Lithuania, pointed out that public servants avoid reporting potential corruption because of fear of vengeance. One of the measures aimed at dealing with this situation is to develop and adopt amendments to the legislation in order to ensure data confidentiality and protect persons reporting serious infringements made by other public servants. He added that there was a need of raising public awareness of corruption and this can be achieved by enhanced anti-corruption education coverage through mass media, as well as by introducing and implementing the anti-corruption education programmes.

As part of Panel III, perspective of the SEE countries was presented by Ms Ivis Nocka, Director, Ministry of Defence (AL), Mr Dragan Slipac, Deputy Director, Agency for the Prevention of Corruption and Coordination of the Fight against Corruption (BA) and two

speakers from the State Commission for the Prevention of Corruption (MK), Mr Gjorgji Slamkov, PhD, Director, and Mr Vladimir Georgiev, State Advisor, who delivered a joint presentation. All of them gave interesting presentations from the national viewpoint, while three of them agreed that the implementation of integrity plans was crucial. The following was highlighted:

- Action Plans identify specific risks of corruption and set out concrete measures associated with monitoring and evaluation indicators;
- Anti-corruption policy should encompass integrity policy and codes of conduct;
- Action Plans provide risk assessment in the areas of institutional and financial management, procurement and documentation, human resources, safety, conflict of interest, reaction to corruption reports and other areas related to particular public institutions;
- The need for continuous trainings on ethics and integrity;
- The need for periodical testing and auditing of integrity system;
- The need for the exchange of information and effective cooperation among institutions in the fight against corruption.



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Original example of the Montenegrin fight against corruption

The last Panel was entitled “Legal Frameworks of Lobbying and Raising the Level of Integrity of Institutions” and the panellists included Mr Christian Daniel de Fouloy, Association of Accredited Public Policy Advocates to the EU and Mr Kostadin Pušara, President of the Association of Lobbyists in Montenegro. Mr Daniel de Fouloy outlined the Ways of Implementing Clean Lobbying Practices. His recommendations were:

- Recognizing the shared responsibility of both public officials and lobbyists;
- Levelling the playing field to engage stakeholders in public policies;
- Making information on lobbying activities publicly accessible to allow scrutiny; and
- Setting up effective mechanisms of implementation and compliance.

Closing remarks

This RACVIAC event attempted to raise awareness of the importance and influence of corruption in a society.

The workshop was aimed at bringing together high-level representatives of specialized anti-corruption bodies and other relevant institutions of RACVIAC Member countries and serve as a platform for discussing the current situation, challenges and best practices in preventing and combating corruption, with special emphasis on the development and implementation of integrity plans. The aims and objectives of the workshop were achieved, while the following conclusions were drawn:

- International support and sponsorship for the implementation of integrity plans and measures are needed;
- There is a need for further education and trainings on integrity plans and measures in the public sector;
- There is a need to share anti-corruption policies and strategies between EU candidate and potential candidate countries;
- It is necessary to enhance transparency and foster the culture of integrity.

During the first day of the workshop, an overview of the EU anti-corruption policy development and achievements was given, while integrity plans and measures in the public sector, together with the legal framework in the European Union and Eastern Europe were outlined. On the second day, there was a fruitful discussion about strengthening the capacity of public administration through developing integrity plans, legal framework for lobbying and enhancing institutional integrity.

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