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## **Eastern Partnership – CoE Facility Project on “Good Governance and Fight against Corruption”**

### **Inception Report**

*June 2011*

Project title	EaP/CoE Facility: Good Governance and Fight against Corruption
Reference number	2524/CoE Facility/Corruption
Project starting date	1 March 2011
Project duration	1 March 2011 - 31 August 2013 (30 months)
Implementation	Department of Information Society and Action against Crime (Directorate of Cooperation) – DGHL, Council of Europe
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Date of report	9 June 2011
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## **1. Background Information**

The Eastern Partnership Facility Project Good Governance and Fight against Corruption – started on 1 March 2011. The present report summarises the activities carried out during the Inception Phase and covers the period from 1 March 2011 to 31 May 2011.

### **a. Beneficiary countries and institutions**

Beneficiary Countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine

National Focal Points (Institutions):

Armenia	Prime Minister's Office
Azerbaijan	Law Enforcement Coordination Department, Administration of the President
Belarus	Anti-Corruption Unit, Office of the Prosecutor General (tbc)
Georgia	Analytical Department, Secretariat of the Anti-corruption Council
Moldova	General Directorate for Prevention of Corruption, Centre for Combating Economic Crimes and Corruption
Ukraine	Anticorruption Policy Unit, Ministry of Justice

Main Beneficiaries: Policy Design/Specialised Anti-corruption Agencies, Law Enforcement, Judiciary, Prosecutorial Services, Financial Investigation Units, Independent Bodies, Civil Society

### **b. Contracting authority**

European Union

### **c. Implementing organisation**

The Council of Europe is responsible for the implementation of the project and the use of the project funds under a direct grant agreement with the European Commission. The agreement is in the form of a Facility containing four components; Within the Council of Europe's General Secretariat Directorate General of Human Rights and Legal Affairs, the Directorate of Co-operation, the Economic Crime Division is responsible for the overall management and supervision of the "Good Governance and Corruption" component of the Facility. A Project Team based in Strasbourg, supported by the Economic Crime Division in the Headquarters of the Council of Europe will be responsible for the day-to-day implementation of the project in the region.

## **2. The Project**

Project objectives and activities:

The Project's overall objective is to enhance the reform processes in the six partner countries through a regional approach, and to bring them closer to Council of Europe and EU standards in core areas covered by the Eastern Partnership Platform 1.

The Project's specific objectives are to strengthen good governance and the capacities of the public administration and the criminal justice sector in the beneficiary countries to effectively prevent and fight corruption in line with Council of Europe Conventions and other international treaties.

The Project will deliver these objectives through the provision of targeted expertise and training by international and national experts, and through outreach to all relevant stakeholders on the expertise acquired.

#### **a. Progress on Anti-corruption in EaP-Countries: State of Play**

In 2010, the Economic Crime Division of the Council of Europe mapped past, ongoing, and planned anti-corruption reforms in Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine. This stocktaking exercise has been part of the "Bridge Activities", which prepared the EaP/CoE Facility's corruption component. The findings of the review are summarised in the Final Report on 'Reviewing processes of good governance and anti-corruption frameworks in EaP countries' of January 2011, and have been the basis for identifying activities of this Project.<sup>1</sup>

EaP-countries have reported the following further developments since January 2011:

##### *Armenia*

The Public Service Law, which has been adopted at the second reading in the National Assembly in Armenia, sets the ethical standards and regulates conflicts of interest of high-ranking officials, and establishes a special commission for that purpose. A Government Decree Regulating the Procurement Process has been adopted in February 2011 in order to decrease corruption risks. Furthermore, a new Draft Criminal Procedure Code has been developed; the draft is currently in the National Assembly. If adopted, it will add transformations and changes to the system of criminal procedures in Armenia with relevance to anti-corruption. The New Electoral Code has passed the second reading in Parliament, and it is expected that the Code will be adopted soon. This would mean that it would be enforced at the upcoming Parliamentary Elections 2012. The New Electoral Code has been reviewed numerous times by experts at the CoE's Venice Commission and GRECO, and shall reduce corruption risks significantly compared to the previous Code.

##### *Azerbaijan*

In February 2011, a Decree 'On the improvement of social protection of the officers of the State Customs Committee, simplification and increasing of transparency in the customs procedure' was signed by the President. Customs payments will no longer be possible via cash transfers; documentation will be requested through a 'one-window' approach; and an electronic administration system will be introduced to increase efficiency and transparency in the customs' services.

In February 2011, another Decree 'On the improvement of the social protection of the traffic patrol service officers of the Ministry of Internal Affairs and some measures on the

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<sup>1</sup> The report can be found at: [www.coe.int/corruption](http://www.coe.int/corruption).

regulation of traffic rules' assigned the Cabinet of Ministers to prepare within a month proposals in order to ensure that payments of fines for the violation of traffic rules be carried out only by bank transfer or credit cards.

A Decree of 11 March 2011 obliges the State Customs Committee and the State Border Service to ensure that at border crossings, all the relevant laws and regulations on customs regulations, information on tariffs, lists of restricted goods be posted on placards so as to be visible to the public. The Decree also requires that electronic devices to calculate customs tariffs of goods be set up.

By another Decree of 11 March 2011, 'On some measures for the improvement of the activities of the Anti Corruption Department near the General Prosecutor of the Republic of Azerbaijan' it was decided to increase the staff of the Department from 40 to 100 prosecutors. The Cabinet of Ministers was also assigned to increase substantially the salaries of the officers of the Department, and to take necessary measures to improve its material maintenance.

A draft law submitted to the Parliament by the President of the Republic in March 2011 envisages amendments to the Detective Search Activity Act, according to which the Anti-Corruption Department near the General Prosecutor, which used to be empowered only with investigative powers, will be vested with the authority to carry out special investigation means (SIM) in respect of the corruption offences. The amendments go beyond this to exclude all other law enforcement agencies from carrying out investigative measures in respect of the corruption offences, with the exception of legitimate extraordinary circumstances.

A further draft law, submitted by the President to Parliament in February 2011, foresees important amendments to the Criminal Code in terms of coverage of the categories of civil servants that could be charged for corruption crimes, to include all civil servants that are covered by the Civil Service Act, and members of international organisations and international parliamentary assemblies. In terms of active and passive bribery, the draft law foresees the introduction of the acceptance of the offer or promise, as well as the offer and promise of a bribe. Trading in influence is to be extended to cover similar elements in their active and passive forms. Other recent measures include the introduction of greater transparency in the issuance of visas to foreign visitors.

On 3 March 2011, the General Prosecutor's Office launched a special, easy to access, free-of-charge telephone hot-line for citizens to report corruption offences. Within a few days, the hotline had received a wide variety of complaints from the public.<sup>2</sup>

### *Belarus*

With the entry into force on 13 January 2011 of the agreement between Belarus and the Council of Europe concerning the privileges and immunities of the representatives of members of the Group of States against Corruption (GRECO) and the members of GRECO evaluation teams, the participation of Belarus in GRECO becomes effective.

### *Georgia*

Updates on developments in Georgia will be part of the Interim Report (due 02/2012).

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<sup>2</sup> More detail on the steps undertaken by the government of Azerbaijan since the beginning of 2011 can be found at [www.commission-anticorruption.gov.az/upload/file/Anti\\_Corruption\\_Lates\\_developments.pdf](http://www.commission-anticorruption.gov.az/upload/file/Anti_Corruption_Lates_developments.pdf).

### *Moldova*

The Third Round Evaluation Report of the Republic of Moldova was discussed from 28 March to 1 April 2011 in Strasbourg during the 50th Plenary Meeting of GRECO (the Group of States against Corruption), which Moldova joined on 22 June 2001. The report was based on an analysis of the compliance of the legal framework for the criminalisation of corruption, the provisions of the Criminal Law Convention on Corruption (Articles 1-12, 19) and its Additional Protocol and the provisions of the Committee of Ministers Recommendation No. 4 of 8 April 2003 on transparency in financing political parties and electoral campaigns. Experts have made an in-depth analysis of the “de facto” national legislation and judicial practice compared with international standards, which Moldova has committed to comply with.

Thus, in order to align the provisions of the Criminal Code provisions of the Criminal Law Convention on Corruption and its Additional Protocol, eight recommendations will be implemented until 31 October 2012; the recommendations are all aimed at the removal of a number of inconsistencies and a lack of clarity in the provisions regarding incrimination of acts of corruption in the public and private sector.

The second part of the Evaluation Report – which examined the compliance of Moldova with international standards governing political party financing and the transparency of this process – has resulted in the issuance of nine recommendations, on the implementation of which Moldova will report to GRECO 18 months.<sup>3</sup>

### *Ukraine*

The Laws “On Principles of Prevention and Counteraction of Corruption” and “On Amendments to Some Legislative Acts of Ukraine on Liability for Corruption Offences” were adopted by the Parliament, and signed by the President on 7 April 2011, and are expected to enter in force on 1 July 2011 (the gap between adoption and entering into force is necessary for bringing existing laws in line with the new anti-corruption legislation). Article 11 (on background checks) and Article 12 (on financial control) will enter into force on 1 January 2012. Both Laws replace earlier, abrogated anti-corruption laws.

The Law “On Principles of Prevention and Counteraction of Corruption” determines basic principles of prevention and counteracting corruption in the public and private sector, compensation for damage caused by corruption offences, restoration of rights, freedoms or interests of physical persons, rights or interests of legal entities, interests of the state violated by corruption offenses. The Law broadens the list of the subjects of liability for corruption offences. It also defines the list of subjects responsible for implementation of the measures on prevention and counteraction of corruption, including the future special agency in the sphere of anticorruption policy. This specialised anti-corruption agency is to be created by the President. The agency will be in charge of: 1. coordination of implementation by other executive bodies of the National Anti-corruption Strategy; 2. information of civil society about the measures undertaken in the sphere of prevention and counteraction of corruption.

The Law determines restrictions for subjects of liability for corruption offences aimed at prevention and counteraction of corruption such as, e.g., the use of official position to gain

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<sup>3</sup> The GRECO Third Round Evaluation Reports on Theme 1 (Incriminations) and Theme 2 (Transparency of Political Party Funding) have been published on 6 April 2011 and can be found at [www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3\(2010\)8\\_Moldova\\_One\\_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoEval3(2010)8_Moldova_One_EN.pdf); and [www.coe.int/t/dghl/monitoring/greco/news/news\(20110406\)eval3\\_moldova\\_EN.asp](http://www.coe.int/t/dghl/monitoring/greco/news/news(20110406)eval3_moldova_EN.asp), respectively.

unlawful benefits. The Law obliges all public and private entities to adopt codes of conduct and empowers the Ministry of Justice to check all draft laws for provisions which could create corruption risks. Such checks could also be done by NGOs or representatives of civil society.

According to the Law, all state bodies and bodies of local government are in principle prohibited to accept free services and property. A separate chapter of the Law is devoted to the role of civil society in the prevention and counteraction of corruption. Article 22 of the Law states that all persons found guilty in court of corruption offences should be dismissed within three days after the employing authority receives the court decision.

The Law "On Amendments to Some Legislative Acts of Ukraine on Liability for Corruption Offences" contains amendments to the Criminal Code and to the Code for Administrative Offences, and introduces as criminal offences, among other, illegal enrichment and trading in influence.

The draft National Anti-Corruption Strategy for the years 2011-2015 has been elaborated and will be submitted for adoption. According to the Presidential Decree No 24 of 12 January 2011, an Action Plan has to be developed within one month after adoption of this Strategy.

The Law "On Access to Public Information" was adopted by Parliament on 13 January 2011, and entered into force since 10<sup>th</sup> of May, 2011. The Law determines procedures for access to information of public interest.

The new order on consulting with society on state policies was approved by Resolution no 996 of the Cabinet of Ministers on 3 November 2010. The main aim of this order is to activate society participation. It prescribes rules for public discussions and public opinion researches in different issues of state policy and provides a legal basis for public boards in central and local executive bodies.

## b. Summary of Project Outputs

The following provides an overview over the objective, purposes, and results of the Project:

Overall objective	To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to Council of Europe and EU standards in core areas covered by the Eastern Partnership Platform 1
Specific objective	To enhance good governance and strengthen the capacities of the public administration and criminal justice sector in order to effectively prevent and fight corruption in line with the Council of Europe Conventions and other international treaties
Result 1	Eastern Partnership countries have defined and are committed to apply policy and prevention measures concerning enhancement of good governance and the fight against corruption
Result 2	Eastern Partnership countries are provided with the tools for effective law enforcement and implementation of legal frameworks when fighting economic crime
Result 3	Pilot: Eastern Partnership countries efficiently apply and implement European and international standards on good governance and the fight against corruption when addressing their specific needs.

### **Result 1 - Eastern Partnership countries have defined and are committed to apply policy and prevention measures concerning enhancement of good governance and the fight against corruption:**

In three regional events, countries will analyse, present, compare, and discuss key stages and elements of their national anti-corruption strategies and policies. A first event, planned for September 2011, will look, in detail, into the preparation and formulation of strategies, including countries' use of empirical evidence on corruption and intra-governmental consultation mechanisms. A second event, tentatively scheduled for November 2011, will discuss the specific monitoring and implementation mechanisms that countries have used/use for their national anti-corruption strategies; a specific emphasis will be on the involvement of civil society in these mechanisms, as well as governmental outreach to the public on anti-corruption strategies and their implementation. Both events aim at the extrapolation of best practices and lessons learned which will be presented at a regional conference to be held at the end of 2011. Where possible, the regional events will include participants' visiting the host country's anti-corruption institutions.

### **Result 2 - Eastern Partnership countries are provided with the tools for effective law enforcement and implementation of legal frameworks when fighting economic crime:**

This result will be achieved through a series of specialised regional training events, bringing together technical staff of relevant EaP countries' institutions dealing with the investigation and prosecution of economic crime, including through an interactive 5-days regional training that will contribute to enhance the capacities of law enforcement agencies in analysing, investigating and prosecuting large scale international money laundering and corruption cases. The training programme will assist the authorities in enhancing their staff's ability to handle international requests and to succeed in cooperation with foreign jurisdictions in fighting money laundering and corruption.

**Result 3 - Pilot: Eastern Partnership countries efficiently apply and implement European and international standards on good governance and the fight against corruption when addressing their specific needs:** Complementing the regional part of the Project, EaP countries have the opportunity, through this project, to request specific assistance responding to emerging policies and developments in the area of anti-corruption. While specific activities under this Result are yet to be confirmed, EaP countries have already come up with a number of suggestions at the start-up conference. The requests span a wide spectrum of policies, including technical advice on the introduction of e-governance to address corruption; legal expertise on draft legislation to confirm their adherence to CoE standards; assistance on anti-corruption measures at the local level, and others.

As the fight against corruption is ultimately to benefit the people of the partner countries, the Project will emphasise, and make specific efforts, to ensure the broadest possible participation of civil society. While not all activities lend themselves to the involvement of non-governmental organisations (for example specialised trainings that are of a narrow technical nature), where they do, the Project will ensure that relevant groups are going to be invited. Furthermore, two of the experts already identified for the Project are engaged in civil society organisations on anti-corruption.

The project will take advantage of the potential that cooperation between peers offers.

#### **c. Inputs**

The project will provide funding for:

- National conferences
- Expert technical advice
- Written legal opinions
- Written assessments and Policy Papers
- Guidelines and Tools
- Assistance to legislative drafting
- Workshops, round-tables and in-country training activities
- Study visits as part of regional events in host countries
- Risk analyses
- Surveys
- Awareness-raising and public events
- Translations and publications

#### **d. General project activities during the Inception Phase**

The following general activities were carried out during the Inception Phase of the project:

Description of activity	Status
Recruitment of Project Team	Partly completed
Deployment and contractual arrangements for the Project Team	Partly completed
Setting up of Project website	Completed

Introduction of the Project to counterparts/beneficiaries	Completed
Start-up technical workshop to confirm Workplan/Calendar of Activities	Completed
Adoption by stakeholders of the final Workplan and Calendar of Activities	Completed
Setting up of a pool of experts to be involved in the implementation of the Project's activities	Completed
Confirmation of Steering Committee members and national Focal Points by national authorities	Partly completed (Belarus missing)
Preparation and submission of Inception Report	Completed

**e. Setting up of the Project Team**

The Project's actual implementation period started on 15 March 2011; however, for contractual reasons, its official start date was, retroactively, moved to 1 March 2011 (as preparations were at an advanced stage, this was not a problem). Vacancy announcements were made for the positions of the Long-Term-Adviser (which will be contracted under consultancy procedures of the organisation), and of the Project Coordinator and the part-time Project Accountant (which will be recruited as Secretariat members of the Council of Europe in accordance with the organisation's rules and procedures for these types of recruitments. Except for the part-time accountant, the other two positions for the Project Team are expected to be filled by 15 July 2011.

Interviews are foreseen to be held in June 2011 in Strasbourg with candidates for both positions. Until 15 July 2011, two short-term experts were hired to support the Economic Crime Division during the Project's Inception Phase, tasked with the designing of activities under the Project's Logframe and Workplan and the identification of experts and tools/methodologies that need to be used for the implementation of activities.

The Project Team will be directly reporting to the Corruption and Money Laundering Unit at the Economic Crime Division, which will centralise and coordinate all information with other relevant structures at the CoE Secretariat. Moreover, a Team Leader and a Project Assistant in Strasbourg will support the Project Team on a daily basis on issues related to proper project reporting, financial reporting, and other administrative and management issues.

In accordance with the requirements of the Workplan (Annex I) and Calendar of Activities (Annex II), a provisional list of experts to be engaged in particular activities has been compiled by the Project Team. The list of experts can be found in Annex III, and is expected to be updated and revised during the course of the Project's implementation.

**f. Meetings and missions to plan the Project**

A number of preparatory meetings and missions took place during the Inception Phase of the Project. The short-term experts charged with advising the activities necessary for this

phase held a coordination and briefing meeting with Project Management at the Economic Crime Division in Strasbourg on 4 May 2011.

A Facility Steering Group Meeting for the Eastern Partnership Facility and a meeting dedicated to Platform 1: 'Democracy, Good Governance, and Stability' of the Facility (of which the Project is part of) was attended by the Council of Europe Team Leader and one of the short-term experts on 5 and 6 May 2011 in Brussels along with other CoE Facility Secretariat, where presentations were delivered to present the objectives of the Project and to clarify questions at the level of the Steering Group members (Facility National Coordinators).

An in-country visit was organised to Azerbaijan on 18 May 2011, to introduce the Project to the relevant stakeholders and institutions, and to solicit comments and inputs to the Workplan. Bi-lateral meetings were also held with the counterpart institutions from Georgia (19 May 2011), back-to-back with the Start-up meeting of the project (see next section), which was hosted by the Georgian authorities on 20 May 2011.

Armenia and Moldova, too, have requested in-country visits, which the counterparts consider useful in order to secure buy-in and participation of the stakeholders in both countries. Two missions are planned to Armenia and Moldova, respectively, at the end of June 2011. Separate meetings with the Ukrainian counterparts were held in Strasbourg in May 2011, at the margins of the Plenary Meeting of GRECO.

#### **g. Start-up event: Finalisation of the Workplan**

The Start-up event of the Project was held on 20 May 2011 in Tbilisi, Georgia. The event was hosted by the Georgian authorities and the EU Delegation in Georgia. The objective of the event was to present, discuss, and finalise the Workplan of the Project, based on which all activities will be carried out.

The meeting was attended by 5 of the 6 participating countries; there was no participation from Belarus. All countries, except Belarus, had nominated Focal Points before the meeting. These Focal Points will be in charge of communications and coordination of all Project-related activities in their respective country.

The Workplan and Calendar of Activities as presented in this Inception Report has been discussed and approved by all participating countries (while there has been no active feedback from Belarus, counterparts have been provided with a copy of the Workplan and it is therefore assumed that they have no objections to the proposed set of activities).

### **3. Visibility/Media Coverage**

#### **a. Website**

Council of Europe Economic Crime website

Project news, upcoming events, and outputs/deliveries will be reported on the Council of Europe Economic Crime website ([www.coe.int/corruption](http://www.coe.int/corruption)), a section of which will be exclusively dedicated to this EaP Project: [www.coe.int/corruption/eap-](http://www.coe.int/corruption/eap-) (Annex VI). The website reports on all Project activities and ongoing public events will be regularly updated. This project site will have links to other relevant sites as below and when possible:

## Council of Europe Information Offices in EaP-countries

Important news and upcoming events in the EaP Project will also be featured on the website of the Council of Europe's Information Offices in EaP-countries ([www.coe.am](http://www.coe.am), [www.coe.az](http://www.coe.az), etc.).

## Websites of Counterparts

The Council of Europe's main partners/counterparts in the EaP-Project, have committed to also place information on the Project on their website.

## CoE Facility Website

Moreover, a website dedicated to the overall CoE Facility with relevant links to each project website has already been established ([www.coe.int/t/dgap/eap-facility/](http://www.coe.int/t/dgap/eap-facility/)).

## **b. Visibility**

### The EU's visibility

The Project will ensure the visibility of the EU's contribution at all stages of its activities. The Council of Europe will take all appropriate measures to publicise the fact that project funding is being received through an agreement with the European Union. All reporting and information used and disseminated will acknowledge that actions as such have been carried out "with funding from the European Union" by also displaying in an appropriate way the European Union logo.

### Disclaimer

All publications will include the following disclaimer: "This document (*report/publication etc*) has been produced with the main funding provided by the European Union. The content of this document can in no way be taken to reflect the views of the European Union or of the Council of Europe".

### Publications

The Project will produce reports to update and inform the European Commission on progress of the project's implementation. During the project, booklets, leaflets, brochures, and training kits will be used and copies of such will be available for reporting. If any publication takes place, these will acknowledge the financial contribution of the EU, and will contain the above-mentioned disclaimer. They will also be made available for the public.

## **4. Conclusions and Next Steps**

The project proposal has been translated into a detailed Workplan and Calendar of Activities. The engagement and commitment of the main counterpart institutions and beneficiaries has been confirmed, and the interest and involvement of a number of stakeholder institutions has been achieved across all participating countries, except Belarus. The Project has the express support of the Governments and has appropriate management arrangements, with a full Project Team expected to be in place in the two months after the Inception Phase.

The temporary Project Team is currently preparing activities under Result 1. A first regional event is planned to take place at the end of September 2011, with Riga/Latvia discussed as the possible venue. The event will deal with the analysis of anti-corruption strategy and policy design processes, and countries will present, compare, and discuss experiences and lessons learned from these. To facilitate comparison, countries will be asked to fill in assessment questionnaires in preparation of the meeting. A second regional seminar will be devoted to peer learning on the monitoring and implementation of anti-corruption policies and strategies, with a specific emphasis on the role that civil society plays in these processes; similar to the first event, it is planned that the analysis be based on the responses to a common questionnaire. This second event is scheduled to take place in October/November 2011. The Project Team is currently approaching various counterparts that might be in a position to host the event; options discussed are Poland and Moldova. Finally, a regional conference, tentatively foreseen to be held in Kyiv/Ukraine in December 2011, will conclude this cluster of activities, which will extrapolate common trends, and highlight successful approaches and solutions to anti-corruption strategy design and implementation.

The Project Team has also started to prepare the events related to corruption risk assessment methodologies, which are foreseen to commence in spring/summer 2012.

Discussions are underway with the Focal Points in Moldova and Ukraine to establish whether pilot activities should commence in both countries as early as July 2011. This depends on the final decision regarding the scope of the proposed pilots. Discussions are also ongoing with Azerbaijan and Georgia to clarify the specific scope of both countries requests, as well as whether Azerbaijan's request on advice regarding e-governance could lend itself to a peer activity between Azerbaijan and Georgia. At the same time, the Project Team is already preparing the substance of some of the Pilot Activities.

## Annex I: Workplan of Activities

During the Inception Phase, the Project's Logframe, as contained in the Project's Description of Action, has been translated into a Workplan and Calendar. The following version has been adopted by the Project's Steering Committee meeting at the EaP Panel meeting which took place on 20 May 2011, including indicative Pilot Activities.

No	Activity	Description	Part.	Days
1	Policy and prevention measures			
1.1	Regional Workshop I: Improving the designing of anti-corruption policies	Countries compare the methodology, process and outcome of drafting their 1 <sup>st</sup> and 2 <sup>nd</sup> anti-corruption strategies and action plans including involvement of civil society (0.5 day). 2 working groups on needs assessment and indicators (0.5 day) Plenary on typologies and solutions (1 day)	30	2
1.2	Regional Workshop II: Mechanisms of implementing and monitoring anti-corruption policies, including education and public awareness	Countries present their mechanisms including those of civil society (0.5 day) 2 working groups on implementation and monitoring (0.5 day) Plenary on typologies and solutions (1 day)	30	2
1.3	Regional Conference I: Good practices of designing, implementing and monitoring anti-corruption policies	Presentation of outcomes of 1 <sup>st</sup> and 2 <sup>nd</sup> workshop International and peer standards and recommendations	60	1
1.4	Regional Workshop III: Risk assessment: Typologies of underlying causes of corruption	2 day workshop in Strasbourg with country representatives and representatives of civil society methods to assess underlying causes of corruption in each country based on different sector (1.5 day) planning of risk assessments (0.5 day) Risk assessments with teams of international and national experts for each country with regard to different sectors (5 days)	30 18	2 5
1.5	Regional Conference II: Presentation of risk assessment: Typologies of underlying causes of corruption	6 country presentations on results of risk assessment (experts) Recommendations on addressing risks	50	1.5



No	Activity	Description	Part.	Days
		Expertise on party financing (TBC) Expertise on good practices in civil registry (TBC)		
3.2	Up to 2 national workshops AZ	Expertise on the implementation of e-government (TBC) Expertise on the implementation of ethics (TBC) Expertise on party financing (TBC) Areas of the national anti-corruption strategy 2007-2011 that are not (fully) implemented.		
3.3	Up to 2 national workshops BE	To be defined		
3.4	Up to 2 national workshops GE	To be defined		
3.5	Up to 2 national workshops MD	Expertise on anti-corruption strategies for local governments. Expertise to bring the law on political finance in line with GRECO-recommendations.		
3.6	Up to 2 national workshops UA	Expertise on a Code of Conduct in line with the new law on Conflict of Interest Expertise on the new Action Plan ("State Program") 2011-2014 Expertise on the implementation of a register for corruption offenders Training of law enforcement officials and judges on the new anti-corruption laws		
3.7	Regional (Closing) Conference IV: Share of peer countries on reforms and good practices during the implementation of the Project	Presentations on result of pilot activities Presentations and recommendations on reforms and good practices in peer countries in relation to project's activities	60	2





**Annex III: Provisional List of Experts**

<b>Expert</b>	<b>Area</b>	<b>Position</b>
Ms Vera Devine	Anti-corruption strategy design and implementation	Former Administrator, Anti-Corruption Network for Transition Economies, OECD. Governance and anti-corruption consultant, UK
Mr Valts Kalniņš	Anti-corruption strategy design and implementation; corruption risk assessment methodologies	Good governance and anti-corruption consultant, Providus think-tank, Latvia
Mr Mark Philp	Risk analyses/Surveys/Conflict of interest	Oxford University Lecturer in Politics
Mr Quentin Reed	Surveys/ Risk analyses /Corruption proofing/Political party finance Conflict of interest and ethics laws and training	Anti-corruption and governance consultant
Mr Daniel Thelesklaf	Anti-money laundering	Former Head of FIU, Switzerland / Director of Basel Institute

As the content of the overall activities and specifically of Pilot Activities will be more specified following the Inception Phase, more experts can and will be identified to contribute to the implementation of the Project.

**Annex IV: Start Up Activities/Workshops**

<b>Date</b>	<b>Institutions</b>	<b>Venue</b>	<b>Project Team and STC involvement</b>
4 May 2011	Meeting of Project Team on Workplan, Calendar and preparation of Panel Meeting (20 May 2011)	Strasbourg	Ms Abdiu, Ms Devine, Mr Hoppe
5 May 2011	Facility SCM	Brussels	Ms Abdiu, Mr Hoppe
6 May 2011	EaP SCM	Brussels	Ms Abdiu, Mr Hoppe
18 May 2011	Meeting with Azerbaijan's national Focal Point and representatives of relevant institutions	Baku	Ms Abdiu, Mr Hoppe, Mr Karimov and representatives of several ministries and CSO
19 May 2011	Meeting with Georgia's national Focal Point and representatives of relevant institutions	Tbilisi	Ms Abdiu, Mr Hoppe, Ms Mikhelidze and representatives of several ministries and CSO
20 May 2011	Anti-corruption Panel and SCM	Tbilisi	Ms Abdiu, Mr Hoppe
25 May 2011	Meeting with Ukraine's national Focal Point and representatives of relevant institutions	Strasbourg	Ms Abdiu, Ms Smirnova
2 June 2011	Identification of experts; preparation of Pilot Activities	London	Ms Devine, Mr Hoppe
20 June 2011	Meeting with Armenia's national Focal Point and representatives of relevant institutions	Yerevan	Mr Hoppe, Mr Kirakosyan and representatives of several ministries and CSO
24 June 2011	Meeting with Moldova's national Focal Point and representatives of relevant institutions	Chisinau	Mr Hoppe, Mr Verebceanu, Ms Griciu and representatives of several ministries and CSO

**Annex V: Agenda and Minutes of Steering Committee Meeting (20 May 2011)**

**Panel on the Fight against Corruption**

**Steering Committee Meeting of EaP/CoE Facility  
“Good Governance and Fight against Corruption Project”  
20 May 2011, Tbilisi, Georgia, Marriott Courtyard**

09.30-10.00	Registration and Welcome Coffee
10.00-10.30	Opening Remarks: Mrs Tina BURJALIANI, Deputy Minister, Ministry of Justice, Republic of Georgia Opening Remarks: Mr Martin KLAUCKE, EU Delegation, Tbilisi
10.30-10.45	Anti-corruption Reforms in Georgia: Mr Otar KAKHIDZE, Secretariat of the Anti-corruption Council, Georgia, Mr David MARGHANIA, State Procurement Agency
10.45-11.15	Presentation of EaP/CoE-Facility Anti-corruption Project: Mrs Ardita ABDIU, Council of Europe, Secretariat
11.15-11.30	Coffee Break
11.30-12.00	Presentation of Draft Workplan of Activities: Mr Tilman HOPPE, Council of Europe, Expert
12.00-12.30	Revision of Workplan of Activities: Mr Tilman HOPPE, Council of Europe, Expert
13.00-14.15	Lunch Break
14.15-15.15	Revision of Workplan of Activities: Mr Tilman HOPPE, Council of Europe, Expert
15.15-15.45	Calendar and Venues: Mr Tilman HOPPE, Council of Europe, Expert
15.45-16.00	Finalising and Approval of Workplan and Calendar of Activities: Mr Tilman HOPPE, Council of Europe, Expert
16.00-16.15	Closing Remarks
20.00	Dinner, hosted by Ministry of Justice, Georgia

Eastern Partnership Multilateral Platforms  
Platform 1: Democracy, Good Governance, and Stability  
EaP-CoE Facility Project on “**Good Governance and Fight against Corruption**”

**Panel and Steering Committee Meeting**

20 May 2011, Tbilisi, Georgia, 10:15-15:30

Minutes

Ms Tina BURJALIANI (Deputy Minister, Ministry of Justice, Georgia) welcomed the participants and gave an overview of the achievements of Georgia in the fight against corruption. Mr Martin KLAUCKE (Head of Operations, EU Delegation, Tbilisi) acknowledged these efforts and emphasised the importance of continuing this trend for EU integration including addressing further challenges.

Ms Rusudan MIKHELIDZE (Ministry of Justice, Georgia) presented a comparison on the past and present situation of corruption in Georgia.<sup>4</sup> Mr David MARGHANIA (State Procurement Agency) gave an introduction on “e-Procurement in Georgia” (see attachment 5).

Ms Ardita ABDIU (Council of Europe, Secretariat) recalled the background, development, and modalities of the EaP-CoE Facility Project on “Good Governance and Fight against Corruption”. During the Inception Phase, the Project’s Logframe, as contained in the Project’s Description of Action, has been translated into a Workplan and Calendar. The design and future implementation of this Workplan has been discussed bi-laterally with most EaP-countries; consultations will continue until the end of the Inception Phase. With the exception of Belarus, all countries have nominated a Focal Point for the Project, so that a list with contact details will be distributed after this meeting.

Upon request by Mr Otar KAKHIDZE (Secretariat of the Anti-corruption Council, Georgia), Ms ABDIU confirmed that the Inception Report of the Project will update on progress made by the six EaP-countries since the Bridge Report on “Reviewing processes of good governance and anti-corruption frameworks in EaP countries”<sup>5</sup> of January 2011, which was a stock-taking exercise that captured developments until November 2010.

In response to Mr Maciej WNUK (Ministry of Foreign Affairs, Poland), Ms ABDIU explained that at this stage of the Project’s Description of Action and its Logframe cannot be subject to changes: Furthermore, the input from all EaP Panel Member States is already addressed in the Logframe; and the Grant (EaP Facility Agreement) between the EU and the CoE has been signed following its approval from the respective ENPI and EU structures since September 2010. Questions regarding other roles of the EaP Panel against Corruption - in addition to its task of serving as a Steering Committee for the EaP-CoE Facility Project on “Good Governance and Fight against Corruption” - were suggested to be primarily addressed to the Panel’s Secretariat, including any new project proposal within the scope of the EaP Panel’s work/subject matter. In this context, Ms MIKHELIDZE expressed her regret that no representative of the EaP Panel’s Secretariat (EU) was present at the meeting.

Mr Tilman HOPPE (Council of Europe, Expert) presented the Draft Workplan of Activities. He confirmed, in response to Mr WNUK, that all activities aim for outcomes to be used in practice.

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<sup>4</sup> Presentation available at: [www.justice.gov.ge/index.php?lang\\_id=GEO&sec\\_id=321&lang\\_id=ENG](http://www.justice.gov.ge/index.php?lang_id=GEO&sec_id=321&lang_id=ENG)

<sup>5</sup> [www.coe.int/t/dghl/cooperation/economiccrime/corruption/Projects/ENPI\\_Bridge/2489-EaP-Bridge%20Report-FIN-March2011.pdf](http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Projects/ENPI_Bridge/2489-EaP-Bridge%20Report-FIN-March2011.pdf)

E.g., activities 1.1 to 1.3 are designed to feed into the current preparations of most of the EaP-countries for their next generation of anti-corruption strategies. Therefore, these activities will be scheduled to take place at the beginning of the project. Ms MIKHELIDZE pointed out areas where Georgia's expertise could be valuable for the proposed Project's activities. With regard to a statement by Mr Inam KARIMOV (Focal Point, Azerbaijan), Ms Eva PASTRANA (EU Delegation, Georgia) emphasised that the project should not be the forum for engaging in possible political differences between participating countries.

In response to Ms PASTRANA, Mr HOPPE identified possible points of involvement of civil society organisations in the activities, both at regional level via the EaP Civil Society Forum, and on a case-by-case basis at country level.

Mr Ivan PRESNIAKOV (Institute for Public Policy, Ukraine) and Mr WNUK offered to provide possible ideas for implementing activities. In this context, Mr HOPPE recalled the importance to include the National Focal Points in any direct communication with the Project Team. Ms ABDIU confirmed that experts will come from EaP-partner countries, as well as other CoE/EU Member States, as is the case with all other CoE projects.

The Focal Points inform the Panel on possible Pilot Activities for their countries:

- Armenia: The national focal point is still consulting with the relevant institutions. Possible areas might be expertise on the implementation of asset declaration of high-ranking officials; expertise on party financing; expertise on good practices in civil registry.
- Azerbaijan: The national focal point is still consulting with the relevant institutions. Possible areas might be: expertise on the implementation of e-government; expertise on the implementation of ethics in public service; expertise on party financing; areas of the national anti-corruption strategy 2007-2011 that are not (fully) implemented.
- Belarus: There was no participation from Belarus, and no national Focal Point had been appointed. Nevertheless, it is expected that a proposal will be submitted to the Project Team.
- Georgia: The national Focal Point is still consulting with the relevant institutions and will finalise its proposals in consultation with the Project Team. Possible areas might include whistleblower protection and political financing.
- Moldova: Expertise on anti-corruption strategies for local governments; expertise to bring the Law on Political Finance in line with GRECO-recommendations.
- Ukraine: Expertise on a code of conduct in line with the new Law on Conflict of Interest; expertise on the new Action Plan ("State Programme") 2011-2014; expertise on the implementation of a register for corruption offenders; training of law enforcement officials and judges on the new anti-corruption laws.

These indicative suggestions will be included in the Workplan under the Pilot Activity component (see attachment 4) and will be finalised in consultation with the Project Team.

Mr HOPPE presented the Draft Calendar of Activities. He concurred with the remark of Mr WNUK that it would have been preferable to schedule the risk assessment activity 1.4 before the activity 1.1 on designing strategies. However, activity 1.1 should start as soon as possible to

allow its results to feed into the designing of the next strategies. Besides, activity 1.1 will also provide expertise on risk assessment methodologies as part of designing strategies.

The Panel agrees that activities will take place in all participating countries, and, where suitable, in EU Member States. Venues will be scheduled in consultations between the Focal Points and the Project Team.

Ms PASTRANA summarised the findings and closed the meeting by confirming the approval of the Workplan.

Attachments:

1. Agenda
2. List of participants
3. List of national Focal Points
4. Workplan and Calendar of Activities (to be updated after the conference)
5. Presentation “e-Procurement in Georgia”

Annex VI: Project Website



**Council of Europe**  
www.coe.int

Action against  
economic crime



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### Our Approach

**STANDARDS**

- Treaty Office

**MONITORING**

- GRECO
- MONEYVAL
- PC-OC
- T-CY

**TECHNICAL COOPERATION**

- Activity Reports 2007 - 2008 - 2009

## Eastern Neighbourhood Partnership Initiative (EaP): CoE/Facility-Good Governance and Fight against Corruption

Council of Europe  
Conseil de l'Europe



European Union  
Union Européenne

The Eastern Partnership (EaP) was launched by the EU at a Summit meeting with the Eastern partners on 7 May 2009 in Prague. It sets out an ambitious path for deeper relations with Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine, through a bilateral and a multilateral dimension. The EaP is based on mutual commitments to the rule of law, good governance, respect for human rights, and respect for the rights of minorities, the principles of market economy and sustainable development. The level of ambition of the EU's relationship with the Eastern partners will take into account the extent to which these values are reflected in national practices and policy implementation.

In its second meeting, the Eastern Partnership Platform 1 adopted its Work Programme for 2009-2011, which mainly focuses cooperation on the following areas: Democratic Governance; Improved Functioning of the Judiciary; Public Administration; Fight against Corruption; Flagship Initiative on Integrated Border Management; Flagship Initiative on Prevention, Preparedness and Response to natural and man-made disasters.

The Corruption component within the Eastern Partnership (EaP) Platform 1, as a major component stems from the realisation that there is a need to further enhance co-operation with Eastern partner countries that face similar challenges in complying with commitments originating from the Council of Europe's membership and its standard-setting instruments. In view of this, in 2010 a series of "Bridge Activities" took place as a first step in contributing to look at the progress made so far of the reform processes in the six partner countries through a multilateral approach, and to facilitate the processes of the EaP' Panel on Corruption as processes of bringing partner countries closer to the European standards. On 1 March 2011, following the "Bridge Activities" the EaP/CoE Facility was launched in order to enhance good governance and strengthen the capacities of the public administration and criminal justice sector in order to effectively prevent and fight corruption in line with the Council of Europe Conventions and other international treaties.

### PROJECT DOCUMENTATION & DELIVERIES

- ▶ CoE/Facility (DoA)
- ▶ Anti-corruption@EaP (DoA)
- ▶ Project Summary
- ▶ Modalities

### Topics

- Corruption
- Cybercrime
- Judicial Cooperation
- Money Laundering
- Organised Crime
- Trafficking in human beings

### Resources

**FILES**

- Archives
- Press Releases

**SPECIAL FILES**

- Octopus Interface 2010
- Octopus Interface 2009
- Octopus Interface 2008
- Octopus Interface 2007
- Corruption and democracy
- Financial Investigations

**OTHERS**

- Links
- Publications

### CONTACT

▶ EaP/CoE Facility' National Co-ordinators

**Annex VII: Focal Points & National Co-ordinators**

	EaP/Anti-corruption Focal Points		EaP/CoE Facility National Co-ordinators	
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	<b>EaP/Anti-corruption Focal Points</b>		<b>EaP/CoE Facility National Co-ordinators</b>	
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