



Support to the anti-corruption strategy of Azerbaijan (AZPAC)

Technical Paper on Proposed guidelines and templates for reporting and monitoring of implementation of the National Anti-corruption Strategy of the Republic of Azerbaijan

By Quentin Reed (United Kingdom)

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For more information, please contact:

<i>Technical Co-operation Department Directorate General of Human Rights and Legal Affairs Council of Europe 67075 Strasbourg CEDEX France</i>	<i>Tel: + 33 3 88 41 23 54/+33 3 88 41 29 76 Fax: + 33 3 90 21 56 50 Email: lado.lalicic@coe.int</i>
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I Introduction

The AZPAC Work Plan envisages under Activity 1.4 the development of 'a template system of guidelines on reporting and monitoring tools from the Commission/Cabinet of Ministers vis-à-vis all relevant institutions. This contribution proposes a set of guidelines and templates for reporting by state bodies (agencies) on their fulfilment of anti-corruption policy tasks. These templates are dependent however on the existence of a binding template for the formulation of agency anti-corruption action plans, therefore a template for this is also proposed. The templates are based on the consistent elaboration of measures (the main goals in the national Action Plan) into activities (the breakdown of the measures into specific activities to be conducted) and then by agencies into specific tasks.

The expert also suggests how the State Commission on Combating Corruption (CCC) could summarise the fulfilment of the Anti-corruption Action Plan in an 'inventory of achievements', based *inter alia* on the information provided to it by agencies according to these guidelines.

It is recommended that the agency action plans, agency implementation reports and CCC reports are made public without delay, as they are also a key tool for independent monitoring of implementation of anti-corruption policy.

II Background: monitoring and reporting on implementation according to the National Strategy and Action Plan

The National Anti-corruption Strategy of the Republic of Azerbaijan and Action Plan for the Implementation of the National Strategy on Increasing Transparency and Combating Corruption (2007-2011) envisages the following actions to be carried out for the purposes of reporting and monitoring of implementation of the National Strategy:

The following actions are to be carried out by state bodies (agencies):

- Central executive bodies are to prepare an annual plan and submit it to the CCC by December 20th of each year.
- Central and local executive bodies are to submit information on the implementation of the National Strategy to the CCC and the Cabinet of Ministers every six months, by 30th June and 30th December of each year.
- Other agencies responsible for implementation are to submit information on the implementation of the National Strategy to the CCC every six months, by 30th June and 30th December of each year.

On the basis of the information provided in this way, the following actions are to be carried out by the Cabinet of Ministers and the CCC:

- The CCC and Cabinet of Ministers are to assess the implementation of actions envisaged in the National Strategy, by January 30th and July 30th of each year.
- The CCC is to monitor the implementation of the National Strategy.
- The CCC is to prepare an annual report on combating corruption by January 30th each year:
 - o The report will be prepared with the participation of relevant state authorities, and information provided by the civil society institutions will be used in the preparation of the report.

- The annual report will assess the status of implementation of the UN Convention against Corruption, the Council of Europe conventions on criminal and civil-legal liability for, as well as the National Strategy.
 - In order to assess the implementation of the National Strategy new governance indicators of the World Bank and other international organizations will be used.
 - The assessment will serve for making analysis of reforms conducted, and identifying priorities and next steps.
- The Cabinet of Ministers and CCC is to report twice a year to the President of Azerbaijan on implementation of measures in the Action Plan.
 - The annual reports of the Cabinet of Ministers of Azerbaijan Republic to the Milli Majlis (Parliament) of the Republic of Azerbaijan are to provide information on actions implemented in the field of combating corruption.

III The need for reporting templates and guidelines

The framework envisaged by the National Strategy and Action Plan establishes a clear time-frame for reporting on implementation of anti-corruption policy. However, the following elements are missing:

1. The framework does not establish clearly the precise format according to which agencies must report on the implementation of their tasks (“Submitting information on the implementation status of the National Strategy by the central and local executive bodies to the State Commission on Combating Corruption and the Cabinet of Ministers”).
2. To go one chronological step further back in the process, there is also no compulsory format according to which agencies are obliged to formulate their own anti-corruption action plans. In practice, this is likely to result in agencies merely copying relevant measures from the National Action Plan, whereas in reality they should be elaborating these measures into more specific tasks. In turn, this will by definition create a weak basis both for implementation and reporting on implementation. At a minimum, it is a potential barrier to the establishment of a standardized approach for reporting to the Commission on Combating Corruption.
3. While the national Action Plan has a clear breakdown into columns, to the expert’s knowledge the Commission does not yet possess a clear template for reporting on how agencies have implemented their tasks under the Action Plan.

The expert does not in this opinion cover the issue of reporting on particular obligations such as implementation of Council of Europe recommendations or conventions, but assumes that these will follow from the implementation of the Action Plan and agency action plans themselves. Neither does this contribution address the use of governance indicators to assess implementation; the expert feels that such indicators may be a tool for assessing the *impact* of anti-corruption policy rather than its implementation.

IV Proposed templates/guidelines

The expert therefore proposes that the following templates and guidelines are adopted for the following components of implementation of anti-corruption policy.

1. Agency Action Plans

The current national Action Plan is divided into the following components (columns):

Name of measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation period	Financial sources
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‘Activities to be undertaken’ in the national Action Plan are an elaboration of the main tasks of anti-corruption policy (‘name of measure’). In the opinion of the expert, these should in turn serve as the starting point for a template for agencies to formulate their own action plans. Specifically, ‘activities to be undertaken’ should constitute the general tasks of each agency (first column in their action plan matrix), which then elaborates them into specific tasks in its own action plan. The template for an agency action plan should contain the following:

Activities to be undertaken/expected outcomes	Specific tasks	Responsible unit/official	Partner organisations	Implementation period	Financial resources allocated
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The first column should simply repeat the activities to be undertaken by the agency concerned, as listed in column 2 of the national Action Plan. These activities should then be divided into specific tasks listed in column 2 of the agency action plan. Crucially, ‘specific tasks’ means tasks that are described in such a way that is clear exactly what actions are to be carried out. In addition, each specific task should have:

- a clearly-defined unit within the agency that is responsible for implementation, or a responsible official, so that is clear not only what actions are to be taken but who is to take them;
- a defined implementation period (start and finish date, or regularity of fulfilment for ongoing tasks);
- partner organisations;
- a clear commitment in terms of financial resources necessary for implementation.

Agency action plans correspond to what is described in the national Action Plan as the ‘annual plans’ of agencies. The expert assumes that the first action plan submitted should be the basic document for anti-corruption policy within the agency, and will be subject to amendment on an annual basis.

2. Reporting by agencies on their implementation of anti-corruption policy

On the assumption that agencies formulate detailed action plans according to the template suggested above and submit them by December 20th each year, they should then be under an obligation to report on the implementation of the action plan that they submitted the previous year. The expert suggests that the basic template for such reporting should be the following matrix:

Activity			
Specific tasks:	Status: Y (completed), N (not started), Ongoing	Achievements	Problems
-			
-			
-			

The key guidelines here are the following.

- The list of specific tasks in the reporting template should be the same as the tasks listed in the agency action plan.
- Achievements should be described for each task separately, and in sufficient detail.

3. Reporting by the CCC on implementation by agencies of anti-corruption policy

Once the CCC has received the reports of agencies based on the above template, the expert suggests that it might use the following template as the basis for reporting on implementation of the national Action Plan.

Measure					
Activity	Institution responsible	Status (Y/N/Ongoing)	Achievements	Problems	Recommendations

V Transparency of reporting

The templates for agency action plans, agency reporting and CCC reporting are key tools for monitoring of implementation of the National Anti-corruption Strategy. The CCC will be the central institution with responsibility for monitoring implementation on behalf of the Government of Azerbaijan.

In addition, however, the templates should also be tools that can be used by non-state actors – in particular civil society organisations and the media – to monitor implementation themselves. Given the limited capacity (for example staff) of the CCC to verify the information provided to it by agencies, such independent monitoring – which could focus more closely on specific agencies and check the status of implementation on the ground - may be seen as a valuable source of information for the CCC itself.

For this reason, it is essential that all of the reports mentioned in this proposal should be made public without delay and on the Internet.