

# **REGIONAL ANTI-CORRUPTION INITIATIVE**

## **20<sup>th</sup> STEERING GROUP MEETING**



### *Summary, Conclusions and Decisions*

*Zagreb, Croatia  
May 20, 2015*

20<sup>th</sup> Regional Anti-corruption Initiative (RAI) Steering Group (SG) Meeting took place in Zagreb, Republic of Croatia, on May 20, 2015. It was organized by RAI Secretariat.

## *Participants*

20<sup>th</sup>RAI Steering Group Meeting was chaired by the RAI Chairperson Mr.DavorDubravica. It was attended by 7 member states' representatives:

- **Albania** – Ms.Eridana Cano– Director of Cabinet, Ministry of State on Local Issues;
- **Bosnia and Herzegovina** – Mr.TomislavCuric – Expert Adviser, Department for Combating Organized Crime and Corruption, Ministry of Security;
- **Bulgaria** – Mr. Rosen Kukushev – Expert in EU and International Cooperation Directorate, Ministry of Interior;
- **Croatia** – Ms.MajaBaricevic - Head of Anti-corruption Sector, Ministry of Justice;
- **Macedonia** – Ms. Elena Dimovska – Associate, Unit for Coordination of Anti-corruption Activities, Ministry of Justice;
- **Moldova** – Mr.ValeriuCupcea – Head of Anti-corruption Policies and Programmes Division, National Anti-Corruption Center;
- **Montenegro** – Ms.MirelaBakalbasic – Senior Advisor, Directorate for Anti-corruption Initiative (DACI);

Senior Representative of Romania, Mr.SorinTanase, Legal Adviser at the Unit for Crime Prevention and Cooperation with EU Asset Recovery Offices, Ministry of Justice, excused their absence from the meeting and gave Romania's opinion and position on agenda items via email.

**RAI Secretariat** was represented by:

- Mr.RaduCotici – Head of Secretariat;
- Mr.KiroCvetkov - Anti-corruption Expert;
- Ms. Aida Bulbul – Finance and Administrative Officer;
- Ms.JasnaPanjeta – Program and Outreach Officer;

The meeting was also attended by:

- The Commission for the Resolution of Conflict of Interest of Croatia, invited by the Chairperson, and represented by Ms.DalijaOreskovic – President of the Commission;
- The Central Anti-corruption Bureau of Poland, invited by the Head of Secretariat, and represented by Minister PawelWojtunik – Head of the Bureau, and Mr. Krzysztof Krak – Chief of Cabinet;
- Ministry of Justice of Kosovo\*, invited by the Chairperson, and represented by Mr.DritonLajci – Advisor to the Minister.

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\* This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

## Summary of Discussions

20<sup>th</sup> RAI SG Meeting was opened by Chairperson Mr.DavorDubravica who welcomed the participants and presented the agenda items for adoption.

The first agenda item of the SG Meeting was Exchange of Views with the Croatian Commission for the Resolution of Conflict of Interest. Ms.DalijaOreskovic, President of the Commission, took the floor and presented the institution, its current work and the perspective of its development.

After the presentation of Ms.Oreskovic, Mr.Dubravica streamlined the discussion in the direction of regional cooperation between oversight bodies. Ms.Oreskovic argued that a legal framework for exchanging information between the oversight bodies was a strong necessity and exemplified with an actual case from the work of the Croatian Commission.

Each of the Steering Group members explained shortly the national system of asset declarations and conflict of interest in their respective countries, revealing the similarities and common needs. In this context, Ms.Oreskovic stated that a regional platform for specific case study analysis, which could enable an inside into the daily practice of oversight bodies, was something that would be of use for the whole region. She added that a web site dedicated to trends, news and novelties in national asset disclosure and conflict of interest systems was very much needed and could improve the regional cooperation in this area. Both Chairperson and Head of Secretariat pointed out that the existing Integrity Experts Network (IEN), established by RAI back in 2010, could be revitalised and its existing web site (<http://www.integrity-experts.net/index.php>) could serve the needs described by Ms.Oreskovic for improving the cooperation between oversight bodies.

The discussions on this agenda item ended on a common note that the regional cooperation in asset disclosure and conflict of interest should be enhanced and RAI should take an active role in this field, continuing its endeavours on providing the region with a legal mechanism for data exchange on asset disclosure and conflict of interest.

The next agenda item was the adoption of RAI's Regional Program – Building Capacities of Anti-Corruption Entities in South East Europe and Strengthening their Cooperation. Ms.JasnaPanjeta, RAI Program and Outreach Officer, presented the Program content explaining its current state and potentials for funding. The Regional Program contains four components which could also be treated as standalone projects:

Project 1 Title: Corruption Risk Assessment (CRA);

Project 2 Title: Corruption Proofing of Legislation (CPL);

Project 3 Title: Mapping Anti-Corruption Actors in South East Europe;

Project 4 Title: Regional Cooperation on data exchange in asset disclosure and conflict of interest.

Ms.Panjeta explained that, by achieving its overall objective, the Regional Program would contribute towards anti-corruption dimension objectives in SEE 2020 Strategy and RAI Work Plan 2014 - 2015. Regional Program also serves the mission of the Secretariat to be the main focal point for regional anti-corruption cooperation in South Eastern Europe through coordination, facilitation and dissemination of best practices and lessons learned as well as through the interaction and coordination among and between member states and other international partners.

Ms. Elena Dimovska and Ms.MirelaBakalbasic commented on the objectives of the Program as well as on its results pointing out that the objectives and results needed to be more focused. Ms.Dimovska also stated that Project 3, titled Mapping Anti-Corruption Actors in South East Europe, should be one of the activities of project 4, and that project 4 title should be adjusted closer to the SEE 2020 Strategy objective. After taking due note of comments, it was concluded that respective changes would be introduced in the document, and that the Program could in principle be adopted. June 10<sup>th</sup> was the agreed deadline for all comments and inputs from member countries, after which the Secretariat would again circulate the document.

Exchange of Views with the Central Anti-corruption Bureau (CAB) of Poland was the next agenda item. Discussions on possibilities for CAB joining RAI had been previously held between the Secretariat and the Bureau and Mr.Wojtunik, after presenting the Polish anti-corruption agency, used the opportunity to hand over the official request of joining RAI as an Observer to RAI Chairperson.

The Steering Group welcomed CAB's representatives at the Meeting and Mr.Wojtunik's openness to collaborate with RAI. It finally decided to grant Observer status to the Central Anti-corruption Bureau of Poland.

The next agenda item was exchanging views with the Ministry of Justice of Kosovo\*. Mr.DavorDubravica evoked Minister Kuci's request on the possibility to accede to RAI. Recalling 19<sup>th</sup> SG Meeting, when RAI Chairperson and Head of RAI Secretariat were mandated to have an on-site visit to Kosovo\* authorities on this matter, Mr Dubravica pointed out that the working visit's conclusion was to explore different possibilities of collaboration with Kosovo\* within RAI.

Mr.Lajci stated that Kosovo government had three priorities: fighting crime, unemployment and corruption. Therefore, Kosovo\* preferred to keep the pending request on the table of discussions. Mr.Dubravica explained that according to RAI internal rules and the Memorandum of Understanding concerning Cooperation in Fighting Corruption in SEE through RAI, new parties could accede to the MoU through becoming core or associate members. The

Steering Group can also invite a party to become an Observer to RAI. Such decisions should preferably be taken by consensus; however, if there is no consensus, the decision can be taken with two thirds of votes.

At this point Mr.Lajci addressed the Steering Group by stating that Kosovo\* was not going to ask for an Observer status in RAI. He said the application for full membership remained pending. Mr.Lajci stated that Kosovo wants to be part of the activities undertaken by RAI regardless the official status of Kosovo\* in the organisation.

The Chairperson informed that participation of Kosovo\* delegates in RAI activities was enabled through financial support of UNDP Kosovo, based on the Memorandum of Understanding between RAI and UNDP Kosovo, and that RAI kept Kosovo\* representatives involved in all its activities, which would continue to be the case in the future.

Regardless the *status quo* on the Kosovo\* issue, Mr.TomislavCuric stated that the official position of Bosnia and Herzegovina's Ministry of Foreign Affairs on the acceptance of Kosovo\* as an Observer to RAI was positive, bearing in mind the name of Kosovo\* with asterisk, indicating that the designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

Ms.Cano pointed out the bilateral Agreement<sup>†</sup> between Serbia and Kosovo\*, which solved the problem as the agreement itself allowed for Kosovo\* to participate as full member to any regional initiative or international organization.

Mr.Cupcea stated that the position of Moldova on full membership of Kosovo\* in RAI was unchanged, but they would accept the possibility to grant Kosovo\* an Observer status.

The Chairperson cited the Romanian Senior Representative, who proposed that the question of Kosovo\* participation in RAI should be postponed for the next SG meeting. Chairperson concluded the discussions by pointing out that it was important that practitioners and experts from Kosovo would continue participating in RAI activities and build capacity on anti-corruption.

The next agenda item was the proposal on disciplinary action of the Head of Secretariat in respect of the Anti-corruption Expert and the prolongation of his mandate, as it expires on September 2, 2015.

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<sup>†</sup> Agreement between Serbia and Kosovo (Pristina), Brussels, Friday 24 February 2012 - Arrangements Regarding Regional Representation and Cooperation

The Chairperson elaborated on the proposal mentioning the history of previous notes on verbal and written reprimands. He also recalled other situations when the Anti-corruption Expert's attention had been drawn on necessity to improve the overall performance. The Head of Secretariat presented his arguments for initiating the procedure on disciplinary action.

Anti-Corruption Expert presented his point and arguments. So did other members of the SG and after debating the issue, Mr. Tomislav Curic proposed to first decide on the prolongation of mandate, and to proceed with the disciplinary action depending on the outcome of such a decision. The proposal was accepted and it was decided to have a secret ballot. There were counted five votes against the prolongation of the current Anti-corruption Expert's mandate and two in favour of it. In addition to those, Romanian Senior Representative's opinion to start the procedure for recruitment of a new Anti-corruption Expert was also taken into account. The Chairperson concluded that the mandate of Mr. Cvetkov in RAI Secretariat would end on September 2, 2015. Consequently, the position of Anti-corruption Expert would be declared vacant as of that date and call for applications would be launched in accordance with the internal regulations.

According to the next agenda item, the national progress reports were explained to SG members. Mr. Cotici stated that the work on draft Evaluation Report on Implementation of the Work Plan 2014 - 2015 had been launched and the Secretariat needed countries' inputs on the progress that has been made on national level against RAI targets. In this context, the Secretariat had developed a template based on which countries would submit their respective reports. The agreed deadline for submitting the progress reports was July 17, 2015.

According to the approved agenda, Ms. Aida Bulbul presented Financial Report for 2014.

Head of Secretariat used the opportunity to congratulate SG members with the 15th anniversary of RAI and proposed to organize a regional conference on this occasion. The SG accepted Moldova's Representative proposal to host the event.

### ***Conclusions and Decisions***

The RAI Steering Group:

1. Concluded that the regional cooperation between the agencies operating on asset control and conflict of interest needs to be further developed and a solid legal framework that would enable data exchange between such institutions should be considered.

2. Adopted RAI's Regional Program – Building Capacities of Anti-Corruption Entities in South East Europe and strengthening their Cooperation taking into consideration all suggestions discussed. Agreed deadline for specific comments and inputs - June 10, 2015.
3. Granted the Central Anti-corruption Bureau of Poland the Observer status in RAI.
4. Welcomed participation of relevant Kosovo\* authorities in all RAI programmatic activities.
5. Decided to open the position of Anti-corruption Expert in the Secretariat as of September 2, 2015.
6. Agreed to have the national progress reports for 2014 – 2015 submitted by July 17, 2015.
7. Took note of the RAI Financial Report for 2014.
8. Agreed to organize the Regional Conference dedicated to the 15<sup>th</sup> Anniversary of RAI.