



STABILITY PACT
FOR SOUTH EASTERN EUROPE

ANTICORRUPTION INITIATIVE
REGIONAL SECRETARIAT LIAISON OFFICE

9th SPAI STEERING GROUP MEETING

***SPAI Chairman's Conclusions and
Decisions of the SPAI Steering Group***

Ohrid, November 4 – 5, 2005



SPAI Chairman's Conclusions

The SPAI Chairman expressed his appreciation for the kind hospitality and tremendous support received from the **Macedonian authorities** in organizing the **9th SPAI Steering Group Meeting in Ohrid**.

In their welcoming remarks, **Mrs. Meri Mladenovska – Djordjevska**, Macedonian Minister of Justice and **Mr. Dragan Malinovski**, President of the State Commission on Prevention of Corruption, underlined the importance Macedonia pays to the fight against corruption within the European accession context. Both high level speakers mentioned the Macedonian Government's commitment to support the regional activities in this field and the active contribution of the national specialised authorities to the implementation of the **Brussels Ministerial Declaration on 10 Joint measures to curb corruption in SEE**.

The Stability Pact Deputy Special Coordinator, **Mr. Michael Mozur**, remarked the importance of the Anticorruption Initiative within the EU accession process. He mentioned that Olli Rehn's remarks on the Bulgaria and Romania's safeguard clause to postpone one year the entering into force of the Accession Treaty should be an incentive for other SEE actual and future candidates. In this context Mr. Michael Mozur appreciated the **Romanian active contributions within the SPAI framework and called for a future Bulgarian involvement**. He also mentioned the **Declaration of the Ministers of Interior** done a week before in **Brdo**, Slovenia, in which there are some provisions related to the anticorruption measures. Along these lines he underlined that the participants in Brdo have been asked to include SPAI and its Regional Secretariat into any future anticorruption activities. Mr. Mozur pointed out that the regional ownership process has become the cornerstone of the Stability Pact activity and SPAI has demonstrated a great potential in this respect.

The US representative, **Mr. John Markey**, Principal Advisor within the US Department of State, appreciated the developments within SPAI and the work done by the SPAI Regional Secretariat. The regional ownership over the entire anticorruption process and the active contributions of all the senior representatives are key elements of a regional policy that the State Department has encouraged through its assistance.

The European Commission's representative, **Mr. Hans Rundegren**, DG Enlargement, emphasised the evolution within SPAI and the ownership potential of its Steering Group. In the same time, the activities developed by the Regional Secretariat were mentioned as expression of the regional needs, especially those related to the specialised prosecutors' networking.

The SPAI Chairman addressed a warm welcome within the Steering Group to the **new SPAI Senior Representatives** from **Albania, Mr. Fatbardh Kadilli** - Advisor of the Prime Minister for anti-corruption - and **Romania, Mrs. Laura Stefan** - Director, Directorate for the Relation with the Public Ministry, Crime and Corruption prevention, Ministry of Justice.

The SPAI Chairman took note of the approval of the Agenda by the Steering Group members and invited the participants to provide their contribution accordingly.



FIRST DAY

National progress reports

The SPAI Chairman welcomed during the national progress reports session the **interactive and very sound exchange of information** among all SPAI senior representatives. The Chairman welcomed recent developments within the region especially related to the **EU accession process**. In this regard the Steering Group members took note about the progress reached by Romania after finishing the EU accession negotiations, Croatia for the formal initiation of the negotiations, as well as the positive steps undertaken by Albania, Bosnia Herzegovina, FYR Macedonia, Serbia and Montenegro. Furthermore, Steering Group members welcomed the recent EU – Moldova developments within the European Neighbourhood Policy.

Within the same context the Steering Group took note about the suggestion to focus the attention on the progress in implementing the **“10 principles for improving the fight against corruption in acceding, candidate and other third countries”** promoted by the Resolution of the Council of the European Union, concerning a comprehensive EU policy against corruption.

SPAI Regional Secretariat progress report

The SPAI Steering Group welcomed the comprehensive report delivered by the Regional Secretariat. The Steering Group took note of the **recent developments and status of achievement of the SPAI RSLO objectives** according to the quantitative and qualitative indicators provided within the Workplan for 2004 – 2005.

The Steering Group recognized that the activities developed by the Regional Secretariat are **crucial towards creating real ownership**. It has been emphasized that ratifying and implementing the **UN Convention against Corruption, sharing best practices on fighting high level cases of corruption** and developing the **networking among the specialized prosecutor’s offices** will remain the priorities which the region will fully support and will dedicate resources for their implementation..

The SPAI Chairman commended the RSLO staff for the work done and urged the countries of the region and the partner organizations to **make the best use of the existing Regional Office in the future activities**.

Regional and International Updates

SPAI Steering Group members welcomed the **inputs and updates provided by the SPAI partner organizations** with regard to the recent developments in implementing anticorruption regional projects/activities.

Special contributions were received from the representatives of the following SPAI partners: **ABA CEELI, Council of Europe – PACO Impact Program, European Commission, OSCE, OSI, Stability Pact, USAID, World Bank**.

The Steering Group welcomed the Commission’s plans according to the **Multi-annual Indicative Programme** for the regional 2005 and 2006 CARDS assistance to support the regional co-operation between the prosecutors specialized in the investigation and prosecution of corruption-related crime.



SECOND DAY

Plan for activities to be implemented within the SPAI Framework, 2006 - 2007

The members of SPAI Steering Group discussed, section by section, the **Plan for 2006 – 2007**, developed by the SPAI Regional Secretariat in cooperation with the SPAI Senior representatives and SPAI partners.

Special attention was paid to each level of the Initiative: **SPAI level, National level and Regional Secretariat.**

I. SPAI Level

Participants discussed the proposals regarding the role of the **SPAI Steering Group, SPAI Chairman, SPAI partner organizations, SPAI Anticorruption Resource Center.**

II. National level

SPAI Senior representatives identified and presented **3 national priorities and envisaged actions** in implementing the Brussels Ministerial Declaration on 10 Joint measures to curb corruption in SEE.

III. Regional Secretariat

The SPAI Steering Group discussed the **SPAI RSLO's programmatic and capacity development objectives**, as well as the envisaged activities for 2006-2007. Among the new activities within the SPAI RSLO's portfolio, special attention was paid to the **SPAI summer school for junior judges and prosecutors, RSLO internship program and twinning type activities.**

The Senior Representatives underlined the crucial role of the Regional Secretariat in **supporting the national requests for assistance** concerning the twinning – type activities, such as study visits among the anticorruption agencies, the experience sharing for the establishment of the specialised prosecutor's offices and the networking among them.

Also, the Steering Group underlined that **the latest developments in relationship with UNODC should be considered of utmost importance** and welcomed the role of the **SPAI Chairman** as a member of the **Expert Group tasked to draft suggestions for the monitoring mechanism of the UN Convention against Corruption.** In the same time, the Steering Group acknowledged that UNODC considers the SPAI RSLO as the SEE **regional partner in connection with the Merida Convention.**

The SPAI Chairman welcomed the readiness of **Romania and Serbia** to identify financial resources to ensure the **participation of their nationals to the RSLO Internship program.** Countries of the region were encouraged to make the best use the facilities offered by such a regional structure with international connections.

The SPAI Chairman took the opportunity to welcome the contribution of the **Norwegian Government to support the RSLO internship program.**

SPAI Annual Award

The members of SPAI Steering Group paid special attention to the **Terms of Reference regarding the SPAI Annual Award.** The main topic of discussion was the **number of awards** to be considered, as well as the **envisaged selection procedure.**



The SPAI Chairman took note of the **general agreement** of the SPAI Senior representatives to support the system with **8 national awards** and the possibility, for exceptional cases, of **an additional regional award**.

The SPAI Chairman took note of the **agreement** regarding the necessity of having a **standard joint set of rules applicable** to the selection procedure within all eight member countries. In this regard, all SPAI Senior representatives, recommended to use the rules within the **Terms of reference** regarding the **eligibility** of the candidate, **selection criteria**, **structure of the selecting committee** and **nomination form**.

Decisions of the SPAI Steering Group

1. SPAI Steering Group **approved**, section-by-section, **the Plan for activities to be implemented within the SPAI Framework, 2006 – 2007**. As all previous strategic documents of SPAI, **the Plan for activities to be implemented within the SPAI Framework, 2006 – 2007**, is a permanent **open document**, subject to further improvements and developments based on additional inputs provided by the SPAI Senior representatives and SPAI partner organizations;
2. The SPAI Steering Group endorsed the decision of SEE governments to identify **three action-oriented measures for immediate implementation to speed up implementation of the Brussels Ministerial Declaration**. Participants recognized that this would demonstrate the government's commitment to fulfil one of the key requirements of the EU accession process and of the Thessaloniki Agenda for the Western Balkans. The Regional Secretariat has been requested to assist this **self-monitoring process**. The Steering Group will remain the format to share the results with the colleagues from the region and with the international partners.
3. The Senior Representatives agreed to pay a greater attention to transforming step by step the SPAI Secretariat into a **regionally owned Anticorruption Centre of Excellence**. The already in-kind contributions to the SPAI activities, evaluated to at least 20% of the total budget for programmatic activities, will continue and even be extended with financial support for specific activities as the internship program.
4. The Steering Group agreed that SPAI RSLO, in coordination with the Brussels-based expert, will consider other activities like assisting the **specialised Parliamentarians' networking**, involvement of the **investigative journalists**, **e-procurement** and other **cross-initiative projects**.
5. The Steering Group took note that the **US funding for the SPAI Secretariat will come to an end starting with 2007** and the next year should be used to identify possible solutions for ensuring the continuation of the Secretariat's work. In this context the Senior Representatives unanimously agreed that there is a need to keep the existing team for the actual transition phase towards the regional ownership that the Stability Pact faces. Based on the **art. 6 of the Terms of reference for the SPAI RSLO**, the Steering Group approved the **renewal of the mandates ending in 2006** for the **Head of the Secretariat, Legal Anticorruption Expert and the Administrative Assistant** with a new term. In the same time, attention will be concentrated on selecting good candidates for the future team;
6. The Senior Representatives tasked the Regional Secretariat, the Chairman and the Brussels-based office to **identify, in 2006, the possibilities for using the community funding** for RSLO specific activities related to **sharing best practices**



- in fighting high level corruption and networking among specialized prosecutors;
7. SPAI Steering Group **approved with comments the Terms of reference regarding the SPAI Annual Award**. The consolidated version will be circulated via email by the Regional Secretariat. The Senior Representatives **agreed to start the internal consultation process for creating national committees/boards**. It has been decided that in the consultation process will be included national personalities, specialised NGOs, investigative journalists experienced with corruption cases, etc, with the aim to have a wide public agreement and recognition for the award project;
 8. In the implementation of its tasks under the Plan for 2006 – 2007, SPAI RSLO will develop, until **mid January 2006**, the **Activity outlines for the SPAI Summer School and RSLO Internship Program**. The involvement of the national institutes of magistrates is envisaged, together with the regional networks of the universities/law faculties;
 9. Based on specific requests received from some SPAI Senior representatives, **SPAI Chairman** will undertake, in distinct and particular cases, necessary measures to ensure **the consolidation of the role and status at national level of the respective SPAI Senior representatives**. Letters to the decisional making level and bilateral visits will be considered. The SP Special Coordinator and the Deputy Special Coordinator will be requested to assist;
 10. According to the suggestions made by some members of the SPAI Steering Group, SPAI RSLO will enhance its efforts to **disseminate, region wide, the activities conducted by the Regional Secretariat and the participating SPAI countries**. The dissemination campaign will include also the dialogue with the diplomatic community in Sarajevo and SPAI partner organizations;
 11. The Steering Group mandated the SPAI Chairman and the SPAI team to continue persuading **Bulgaria** to reconsider its Observer status and to have a more active participation at regional level.
 12. Under the SPAI Chairman guidance, RSLO will initiate discussions with the SPAI Senior representative in order **to identify the host country of the 10th SPAI Steering Group**.