
ANNEX 1

INSTITUTIONAL MECHANISM

Composition

All countries of South Eastern Europe (SEECp members) which are parties of the MoU, as well as other countries or organizations willing to join the MoU by depositing an instrument of accession, are eligible to be Core Members of the RAI Steering Group.

All other countries, organizations or international financial institutions which are actively and substantially engaged in support of preventing and fighting corruption in South Eastern Europe and contributing to the programmatic activities of the RAI with at least the yearly minimum amount determined in the MoU, may participate in RAI Steering Group as Associate Members. The Associate Members will have the same voting rights as the Core Members in relation with the RAI programmatic issues.

Other interested countries or organizations which are involved in fighting corruption in SEE but not being able to contribute financially to the RAI, or financially participate in RAI activities less than yearly minimum amount determined in the MoU, as well as those organisations that are only implementers of projects related to the RAI activities, may participate in the Steering Group as Observers.

Any new members shall be deemed to have accepted the Strategic documents of the Initiative.

The Steering Group is the decisional making body of the Initiative. It is composed of one Representative from the signatory countries of the Memorandum of Understanding (MoU) or acceding countries or organizations appointed by the respective National Government and having the position at least Director in the Ministry of Justice or in the institution having responsibilities for the coordination (implementation) of National Anti-corruption Strategy. Senior representatives shall be appointed on a permanent basis. However, members are entitled to designate one substitute per representative. Member countries or organizations of the Steering Group, through written notification to the Chairperson, may be represented in the Steering Group meetings by organizations that manage the implementation of their funds. Any new member shall appoint its Senior Representative within in a period of two months following its notification of the membership. The member shall inform the Secretariat of the name, position and address of the designated representatives. Members shall promptly notify the Head of the Secretariat of any change in the composition of their representative.

The Steering Group has meetings at least once per year and whenever necessary. The meeting are called and chaired by Chairperson. There shall be a quorum if a majority of two thirds of members are present. The activities of Steering Group are supported by Executive body of the initiative – the Secretariat.

During the period between two meetings of the Steering Group decisions may be taken via e-mail through the Secretariat, under the coordination of the Chairperson. The decision making process shall respect the same rules and as an exception decisions can be taken through silent procedure of two weeks.

Powers

The Steering Group proposes, discusses, makes amendments and approves Work Plan of the initiative every two years based on proposal coming from the Regional Secretariat which is based on priorities and needs identified by the member states. The Secretariat submits every two years the draft proposal for the Work Plan to the Senior Representatives.

The Steering Group approves the election or the renewal of mandate for the Regional Anti-corruption Initiative Chairperson upon proposals made by member states. It discusses, approves or amends Chairperson Terms of Reference (Chairperson ToR).

The Steering Group approves nominations or renewal of mandate for the Head of the Secretariat and Anti-corruption expert(s) as well as discusses, approves or amends Terms of Reference (ToR) of the Secretariat.

The Steering Group shall decide on the publicity to be given to its activities.

Observers may be admitted in the Steering Group meeting upon proposals of its Chairperson, of any Senior Representative or of Head of the Secretariat.

Decisions of the Steering Group of the Regional Anti-corruption Initiative shall be taken by consensus, which is understood as absence of objection. However, in absence of consensus, decisions shall be taken by two-thirds of the votes cast. Only votes “in favor” or “against” are taken into account when counting the number of votes cast. Procedural decisions shall be taken moreover by a majority of the votes cast.

Each member of the Regional Anti-corruption Initiative has the right to one vote. However, unless otherwise decided by the Steering Group, a member who has failed to fully implement the MoU and to fulfill financial obligations deriving from its implementation every year shall no longer take part in the decision-making process.

The Steering Group approves its annual activity report, including its financial part. The Secretariat shall publish it every year, once approved by the Steering Group.

The Steering Group approves its annual budget for the upcoming fiscal year which is financed through the annual compulsory contributions of its members, additional voluntary contributions from its members as well as from other interested countries, international institutions or other donors.

[Added at the 18th RAI Steering Group Meeting] Steering Group members have to perform their duties in an ethical manner and in compliance with the highest standards on integrity, avoiding all conflicts of interest that might arise because of economic or personal self-interest. Ethical conduct includes, inter alia, using impartial judgment in all matters affecting RAI and refraining from voting on their own candidature in RAI's positions and also from proposing themselves for consulting arrangements.

Chairperson

The Chairperson plays a pivotal role within the Initiative's framework by ensuring the

permanent coordination of the activities undertaken by the member countries in implementing the commitments endorsed within the Regional Anti-corruption Initiative Strategic documents. In this regard he/she convenes and chairs the Steering Group meetings.

The Chairperson oversees the enforcement of the decisions taken by the Steering Group of the Initiative.

The Chairperson shall **represent** the Initiative and its Steering Group members in relation with all international partners and **promote** the implementation of the Initiative's strategic objectives.

[Amended at the 22ndth RAI Steering Group Meeting]

He/she will:

- **Convene** once per year (or whenever necessary) the Steering Group Meetings and Chair them;
- **Foster** the dialogue with the donor countries and international partners within bilateral discussions and whenever necessary through the Friends of the Chair meetings;
- **Strengthen** the communication with the high level governmental officials from the member countries throughout official visits whenever necessary;
- **Chair** national and regional events related to the fight against corruption hosted by the member countries upon request;
- **Give strategic guidance** to the Regional Anti-corruption Initiative Secretariat in order to ensure the achievement of the work plan's objectives, as set and approved by the Regional Anti-corruption Initiative Steering Group;
- **Report** to annual meetings and whenever necessary within the **SEECF Justice and Home Affairs (JHA) Ministerial meetings**;
- **Promote** gender equality within the Organization.

The Terms of Reference for the Chairperson are attached (Annex 2)

Secretariat

The Secretariat is the executive body of the Regional Anti-corruption Initiative. The Secretariat serves as a concrete and visible demonstration of the Regional Anti-Corruption Initiative commitment of the regional states to the continuing, concerted and coordinated fight against corruption in South Eastern Europe.

The mission of the Secretariat is:

- to serve as the main focal point for regional anti-corruption cooperation in South Eastern Europe through the coordination, facilitation and dissemination of best practices and lessons learned as well as through the interaction and coordination among member states and between member states and other international partners;
- to act as a regional Anti-corruption Resource Center for the countries of SEE; and
- to enable a better integration and implementation of the international legal instruments concerning the prevention and fight against corruption.

The Terms of Reference for the Secretariat and its staff are attached (Annex 3)