

REGIONAL ANTI-CORRUPTION INITIATIVE

40th STEERING GROUP MEETING



Summary, Conclusions and Decisions

June 19, 2023 (On-line)

40th Regional Anti-corruption Initiative (RAI) Steering Group (SG) Meeting took place on June 19, 2023 in the teleconference format. The meeting was organized by the RAI Secretariat via the Zoom platform.

Participants

40th RAI SG Meeting was chaired by RAI Chairperson, Ms. Laura Stefan. It was attended by eight member countries' representatives:

Albania – Ms. Rovenia Pregja – Deputy Senior Representative, Director of Programs and Projects in Anti-Corruption in the Ministry of Justice of Albania;

Bulgaria – Ms. Elitsa V. Semerdzhieva-Trifonova – Legal advisor at EU and International Cooperation Directorate, Ministry of Interior of the Republic of Bulgaria

Croatia – Mr. Tomislav Matoc, Deputy Senior Representative, Senior Advisor, Sector for the Prevention of Corruption, Ministry of Justice and Public Administration

Moldova – Mr. Valeriu Cupcea, Deputy Senior Representative, Head of the International Cooperation Directorate, National Anti-corruption Centre;

Montenegro – Mr. Boris Vukasinovic – Senior Representative Deputy Director, Agency for Prevention of Corruption

North Macedonia – Mr. Nikola Prokopenko, Senior Representative, State Counsellor for criminal legislation Ministry of Justice;

Romania – Ms. Ruxandra Andreea Lapadat, Deputy Senior Representative, Legal counsellor, Crime Prevention Department, Ministry of Justice;

Serbia – Ms. Milica Pavlovic, Deputy Senior Representative, Advisor on International Cooperation Matters Ministry of Justice, Republic of Serbia

RAI Secretariat was represented by:

Ms. Desislava Gotskova, Head of Secretariat

Ms. Nikola Naumovski, Senior Anticorruption Advisor

Ms. Meliha Capljic– Chief Finance and Operations Officer

Summary of Discussions

RAI Chairperson, Ms. Laura Stefan, opened the meeting and welcomed all participants joining the 40th RAI Steering Group session.

1. Adoption of Agenda

The proposed Agenda was adopted unanimously.

2. Information from the Secretariat: Work Plan 2023-2025 - what has been done and plan for 2023. Discussion

Information from the Secretariat on Work Plan 2023-2025 was initiated by the Head of Secretariat who gave an overview of implemented activities in the last six months, as well as efforts made in the area of establishment of new and strengthening of the already existing partnerships.

These are the main activities under the projects presented by the Head of Secretariat:

- SEE TAC project: Secretariat is currently negotiating the no-cost extension of the current SEE-TAC project until March 2023 as well as preparing the new phase of the project which should be submitted to ADA by the end of July. Additionally, Moldova initiated the signing of the Treaty and it will be decided soon when and where the signing ceremony should be held. The Head of Secretariat thanked the SG members for nominating representatives for the Monitoring and Evaluation training which will be held on June 22-23 in Sarajevo, Bosnia and Herzegovina.
- EU funded Breaking the Silence project: this project ended on 31 March with the closeout event held in Sarajevo, Bosnia and Herzegovina. The external evaluation of the project is an ongoing activity. The Head of Secretariat informed the members that the Secretariat prepared and submitted the new project proposal on whistleblowing to the DG Just.
- Due to the budget cuts, most of the activities under the Asset Recovery project funded by the British Government will be held in an online format. RAI Secretariat will work together with the AIRE Center on the development of a new phase of the project.
- The Secretariat informed the SG members about the new cooperation with America for Bulgaria which will finance the translation of the Asset Recovery Platform to the Bulgarian, as well as about the future meeting with KAS regarding the translations of the platform content to the Romanian language.
- The Head of Secretariat briefed the SG members that under the last phase of the R2G4P project Secretariat will have a more prominent role and will participate in the preparation of the next project phase. The project will be closed in November this year in Sofia.
- Under the Roadmap project, the Action plan should be developed and agreed upon with the donor after which Secretariat will inform the SG members on planned activities.
- A two-day workshop on conflict of interest in the security sector was held on 16-17 June in Podgorica. The workshop is being organized in cooperation with Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC), and the Ministry of Defence (MoD) of Montenegro. RAI Secretariat was represented by the Head of Secretariat and Senior Anti-corruption Advisor.

- On the margins of the Prespa Forum Dialogue in Struga, a Memorandum of Understanding was signed between the Regional Anti-corruption Initiative (RAI) and the Migration, Asylum, Refugees Regional Initiative (MARRI) towards strengthening the regional and international cooperation for the fight against corruption and human trafficking, through sharing of knowledge, good practices, and expertise.

3. RAI's application for the UNCAC CoSP Observer status

Head of Secretariat thanked the Romania for taking the lead in the complex process of becoming the Observer status to the Conference of the States Parties (COSP), the main policymaking body of the United Nations Convention against Corruption (UNCAC). Romanian representatives presented the path and details of the process as well as the possible timeline. All final documents will be sent to the RAI for approval within a week.

The Head of Secretariat informed the SG members about the meetings the Secretariat held with the MFA of BiH and the diplomatic missions of the RAI member state countries in Bosnia and Herzegovina as well as with the Austrian, Polish and Italian Embassy. The embassies were briefed about RAI activities and the Romanian initiative. The feedback was very positive and supportive.

4. NTA, Greece and SBI, Ukraine applications for Observer status

The Head of Secretariat informed the SG members about the application of the NTA, Greece and SBI, Ukraine for Observer status. Additionally, Head of Secretariat explained that the Greece representatives expressed the initiative to obtain the status of observers and at a later stage there is a possibility to apply for full membership.

Also, The SG agreed that Observers should be invited to the SG meetings. Depending on the sensitivity of the agenda, prior to the meeting, it will be decided if the Observers should participate in the entire meeting or just on specific sessions/days.

SG members approved the Observer status for NTA Greece and SBI Ukraine.

5. Financial report for 2022 – presentation

Chief Finance and Operations Officer presented the Financial Report for 2022. Ms. Capljic highlighted the fact that most of the implemented programmatic activities were financed from other-donors' funds through ongoing projects. Ms. Capljic mentioned the independent external Auditor's Report that was shared with the Steering Group. It was pointed out that the audit process was positive and all expenditures were in line with RAI internal rules and the international accounting best practices.

Moreover, Ms. Capljic briefly presented the utilization of funds from other sources (projects-related funding), highlighting the fact that utilization of other-donors' funds is on a rising scale, that RAI Secretariat managed to have a variety of donors in 2022 and that this practice will be pursued in the future as well.

The Steering Group took note of the Financial Report for 2022.

6. Sustainability of the RAI Secretariat – Financial and human resources – discussion

RAI Secretariat informed the SG that in 2022 Secretariat primarily devoted its time to the implementation of projects in accordance with the approved objectives in the Work Plan. There has been an increase in implemented activities and results achieved at the regional and sub-regional level, a number of partnerships established, and an increase in visibility.

The Head of Secretariat informed the SG that the current amount of the country's contribution cannot provide financial stability for RAI. RAI Core Budget for 2023 is affected by the current economic conditions - inflation and increased prices.

Also, the Head of Secretariat emphasized that international staff is not entitled to housing, educational and family allowance which certainly negatively affects the working and living conditions, also destimulates applying for open positions. She explained that the salaries of international staff are not changed for a long time and due to all these reasons, there is the problem that also the local staff leaving.

The Chairperson suggested that the SG members should obtain a mandate to discuss the increase in country contributions at the next SG meeting as well as for introducing the housing allowance in the Core budget. Meanwhile, RAI Secretariat should submit to the SG a budget projection and explanatory note for the increase of country contribution for 2024Y by the mid of July. SG members agreed with this proposal.

7. Chairperson election – procedure overview and preparations

Head of Secretariat informed the SG members that the mandate of the Chairperson, Ms. Laura Stefan expires on 31 October 2023 and that the election procedure for the new Chair shall start not later than 60 days before the current Chairperson's mandate ends.

It is agreed that the call for applications will be launched by the Secretariat on 15 August 2023 and will be promoted by the member countries. Candidates from Romania, Bulgaria and Serbia are not eligible to apply.

Chairperson is to be elected at the next Steering Group Meeting; therefore, the Secretariat suggested the next SGM to be 2 days or 2 ½ days.

It is decided that the tentative dates for the next 2 full days SG meeting are 24- 25 October 2023. Secretariat will propose the location in September.

8. Discussion on the ACN OECD 5th Round Monitoring Assessment Framework

Chairperson presented the outcomes from the meeting held in Paris. The Steering Committee members are not also the contact/focal points for ACN OECD so Chairperson briefly introduced the two main topics that were discussed, anti-corruption policies and business integrity. Chairperson also offered assistance with the questionnaire, when SG Member Countries received it.

9. Tour de table - Brief information from Senior Representatives and Observers on the most important developments and projects in line with current RAI Work Plan

During the session, country representatives presented recent anti-corruption developments in their respective countries on the most important developments and projects in line with current RAI Work Plan.

Representative of the Sector for Prevention of Corruption of Republic of Croatia singled out reforms undertaken in judiciary that regard to monitor closely backlog and length of procedure in different court procedure and different level at first instance and second instance courts and different type of courts, criminal, civil law cases, commercial and administrative litigation, amendment of the laws regulating duration of the civil law cases and small value disputes, to shorten length of court disputes in criminal law cases number of returning back cases from appellate court to first instance court is reduced to one time, introducing e-communication (electronic communication) for different categories of participants: companies, lawyers, citizens, audio visual presence during the criminal cases with aim to decrease cost of procedure and shorten court procedure. Reforms that will be introduced with funding through National plan of Recovery and Resilience for period 2021.-2026. are foreseen for publishing of all court decision will be started in 2024.

Some short term activities in judiciary are undertaken with aim to collect and publish data regarding membership of judges in association outside of court, members of families employed in court, additional activities and earnings and SLAPP lawsuits—whether judges have disputes and lawsuits against journalist and what is the outcome of the cases.

Some important reforms were introduced regarding integrity of judges with new disciplinary breaches in cases where judges decline security measures to be undertaken, did not undertake without reasonable justification procedural activities that resulted with cases have ended up in statute of limitation, and did not meet the norm of the solved cases set up with framework performance indicators.

To create level playing field in the area of integrity and ethics, Code of Ethics for Public Top Executive Functions was adopted in 2022 (PTEF) (members of the Government and officials appointed by the Government), Code of ethics for MP (members of Parliament) 2022, Code of ethics for members of legislative bodies in local administrative authorities during 2022 is adopted in majority local administrative authorities, where first two code was recommendation from IV. And V. round evaluation of GRECO.

With amendment in **Act on Local Elections** it is forbidden to be candidate to election for all persons convicted for crime offence where sanction of imprisonment is longer then 6 months or whether the sanction for same conviction has been commuted to probation sentence or work for community services.

The Law on Government has been amended to lift the immunity for corruption crime offences for all members of the Government.

During may 2023 Sector received evaluation question from Public Governance Committee (PGC) within framework on negotiation for entering membership of OECD (Organisation for Economic Cooperation and Development) that covered scope of the question for following topics: public integrity, human resource management in public sector and judiciary, integrity in public procurement, prevention of corruption,

work of the anticorruption preventive agencies, governance of infrastructure, structure of Government, effectiveness of justice system, openness of public institutions.

During the month of May and June 2023 Sector for the Prevention of Corruption will participate in the meetings of Council of EU that will prepare proposal of Anticorruption Directive for adoption in the council of EU and Parliament of the EU. Directive will cover different topics in the prevention of corruption and incrimination for criminal offence of corruption, sanctions, mitigate and aggravating circumstances, responsibility of legal persons for criminal offence of corruption and other related questions.

Sector for the Prevention of Corruption participated at expert meeting on Anti-Corruption Regional Outlook for Eastern Europe and Central Asia on 23 May 2023.

On the 23-26 May 2023 Sector for the Prevention of Corruption organised meeting of the OECD fact finding mission with different institutions regarding functioning of the state-owned enterprises (SOE), capital market development, repression and prevention of corruption, where sector for prevention of corruption had separated meeting on the topic on the role of Anticorruption Council that monitor implementation of the Anticorruption Strategy for the period 2021.-2030.

10. Any other business

The Head of Secretariat informed the SG that during her meeting with the Embassies of RAI members, some of the Embassies had asked to receive the RAI Secretariat monthly reports which would allow them to closely follow the activities of the organization.

The SG decided that the RAI Secretariat monthly reports could be sent to the diplomatic missions of RAI members that are situated in Sarajevo.

Conclusions and Decisions

1. SG took note of the Secretariat's update on the initiative for RAI to become an observer to the Conference of the States Parties to UNCAC;
2. SG approved the Observer status for NTA Greece and SBI Ukraine;
3. The SG agreed that observers should be invited to the meeting of the SG meeting. Depending on the sensitivity of the agenda, prior to the meeting, it will be decided if the Observers should participate in the entire meeting or just on specific sessions/days.
4. SG took note of the RAI Financial Report for 2022;
5. RAI Secretariat should submit to the SG a budget projection and explanatory note for the increase of country contribution for 2024Y by the mid of July. SG members should obtain the mandate until the next SG meeting for the discussion regarding the increase of country contributions and re-introducing the housing allowances for international staff.
6. SG agreed on publishing the Vacancy for the election of Chairperson on August 15, 2023, with September 30, 2023 as the deadline for applications. The tentative dates for the next 2 full days SG meeting are 24- 25 October 2023. Secretariat will propose the location in September.
7. The SG decided that the RAI Secretariat monthly reports could be sent to the diplomatic missions of RAI members that are situated in Sarajevo.