



HIGHLIGHTS

- Trainings for anticorruption prosecutors
- Implementing the European standards in public procurement
- Incorporating the anticorruption international standards
- Anticorruption Calendar

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SPAIgram

This newsletter is an informal, periodic update on the activities carried out within the SPAI framework

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JOINT TRAINING WEEK FOR ANTICORRUPTION PROSECUTORS

ZAGREB, CROATIA – SEPTEMBER 4 – 10, 2005



During September 2005, SPAI RSLO initiated the pilot project designed to ensure networking and exchange of experiences among anticorruption prosecutors in the region.

The first stage of this project included a study visit of team of Montenegrin prosecutors to the Croatian Prosecutor's Office Specialized on Countering Organized Crime and Corruption.

The event took place in Zagreb, Croatia, during 4th and 10th of September 2005, within the USKOK premises.

The meeting benefited of the high level participation of the State General Prosecutors from the two countries, Mrs. Vesna Medenica – Republic of Montenegro and Mladen Bajic – Croatia as well as the of the chiefs special prosecutors fighting organized crime and corruption – Mrs. Stojanka Radovic - Republic of Montenegro and Mr. Zeljko Zganjer - Croatia.

During the entire week the two teams of prosecutors exchanged information regarding the establishment of the special anticorruption unit, relevant legislation in place, special investigation means available, as well as their practical experiences in investigating and prosecuting complex corruption cases.

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SPAI CHAIRMAN'S HIGH LEVEL MEETINGS

Within the framework of an international event organised by the Initiative in September 2005, in Belgrade, Professor Ugo Draetta, the SPAI Chairman, had a very fruitful side bilateral meeting with Mr. Zoran Stojkovic, Serbian Minister of Justice. Within the bilateral discussions the SPAI Chairman stressed the need of continuing the reforms within the Justice and Home Affaires areas, especially efforts regarding fighting organized crime and corruption. Professor Draetta reiterated the support of the Initiative for the implementation of anticorruption measures in Serbia and highlighted the importance of putting into practice the commitments endorsed recently within the Ministerial Conference organized in May, in Brussels, when countries of the region adopted the 10 measures plan to curb corruption in SEE.

Minister Stojkovic confirmed his personal commitment and the commitment of the entire Government to fight corruption in



The International Conference on "Promoting Incorporation of International Anti-Corruption Standards into Serbian Legislation" (organized by SPAI RSLO in cooperation with OSCE and Serbian Ministry of Justice)

SPAI CHAIRMAN'S HIGH LEVEL BILATERAL MEETINGS

SPAI Chairman stressed the need of continuing the reforms within the Justice and Home Affairs areas, especially efforts regarding fighting organized crime and corruption

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Serbia. Also, during the Conference the SPAI Chairman had a brief conversation with Mr. Vojislav Kostunica, the Serbian Prime Minister.

This type of meetings is continuing the series of

meetings with high level authorities from the SPAI member countries, initiated in April 2005 when the SPAI Chairman visited Romania.

During November 2005, the SPAI Chairman scheduled in Sofia similar bilateral meetings with the Bulgarian Minister of Justice, National Co-

ordinator for the Stability Pact and representatives of the Anticorruption Council.

The bilateral discussions will approach the practical steps for further involving Bulgaria within the activities carried out by the Anticorruption Initiative.

CONFERENCE ON "PROMOTING INCORPORATION OF INTERNATIONAL ANTI-CORRUPTION STANDARDS INTO SERBIAN LEGISLATION", BELGRADE, SERBIA - 20-21 SEPTEMBER, 2005

The conference, held on 20-21 September in Belgrade and attended by 140 participants, was opened by Prime Minister Vojislav Kostunica, Minister of Justice Zoran Stojkovic, Ambassador Maurizio Massari, Head of OSCE Mission to Serbia and Montenegro, H.E. Hugues Pernet, Ambassador of the Republic of France to Serbia and Montenegro and Prof. Ugo Draetta, SPAI Chairman.



The event was organized by the OSCE Mission to Serbia and Montenegro and the Ministry of Justice of the Republic of Serbia, in co-operation with the Stability Pact Anti-Corruption Initiative/Regional Secretariat Liaison Office (SPAI/RSLO).

The conference gathered representatives from main Ministries, the National Assembly, bodies in charge of preventing corruption and the civil society.

SPAI RSLO Executive Secretary presented during the event the recent developments within SPAI. Other relevant international organizations active in the fight against corruption were also represented by senior officials: the UN Office on Drugs and Crime, the Council of Europe, the OSCE and the OECD. Representatives from Montenegro, Slovenia and France presented their experience as well.

Conclusions of the conference were two-fold.

First, it was underlined that all international anti-corruption instruments adopted in the past ten years are now framing a comprehensive set of standards that help legislators and policy-makers to design their legislation and improve their practices in accordance with good governance principles. The necessity of coordination among the international organizations active in the anti-corruption field was highlighted as well.

Second, the progress of the Republic of Serbia in adopting some crucial anti-corruption legislation was stressed: during the past few years, fields of public procurement, financing of political parties, prevention of conflict of interest and free access to public information have been regulated by new legislation. Currently, the National Anti-Corruption Strategy and the Criminal Code are pending for adoption. The Law on Establishing a Specialized Anti-Corruption Body and the Law on a Supreme Audit Institution are being finalized. Remaining loopholes in the Serbian legislation and some difficulties in implementation were highlighted by experts and practitioners, in particular in the field of criminalization and effective investigating, prosecuting and sanctioning of corruption-related offences.

As main conclusion, the conference participants urged the Parliament of

the State Union to ratify as soon as possible the UN Convention against Corruption, Council of Europe Civil Law Convention and Additional Protocol to the Council of Europe Criminal Law Convention on Corruption. In parallel they urged the Republic of Serbia to further harmonize legislation and practices with international anti-corruption standards.

The following topics were identified during the conference as most urgently requiring legislative improvements:

- Liability of legal persons for acts of bribery
- Adequate criminalization and effective sanctions for active and passive acts of bribery and bribery-related acts, including criminalization of bribery of foreign public officials
- Practical aspects of implementation of anti-corruption regulations (investigation, prosecution, judgment, effective sanctioning).



REGIONAL CONFERENCE ON EFFICIENT IMPLEMENTATION OF EUROPEAN STANDARDS IN PUBLIC PROCUREMENT BECICI, REPUBLIC OF MONTENEGRO – SEPTEMBER 23 – 24, 2005



During September 24 and 25th, SPAI RSLO, in cooperation with OSCE Mission in Serbia and Montenegro, Office in Podgorica and the Public Procurement Commission from Montenegro, organized in Montenegro a Regional Conference on Efficient Implementation of European Standards in Public Procurement: Legislative Framework and Best Practices.

The meeting was formally opened by Mr. Miroslav Ivanisevic, Deputy Prime Minister, Republic of Montenegro. Also, keynote speeches were addressed by Ambassador Paraschieva Badescu, Head of the OSCE Office in Podgorica, Deputy Head of OSCE Mission to Serbia and Montenegro, Dr. Ray Kirkland, Regional Director, USAID, Veselin Sukovic, Executive Secretary, SPAI RSLO and Marko Lazarevic, President of Public Procurement Commis-

sion of the Republic of Montenegro.

This regional event brought together more than 60 experts in public procurement, policy makers and representatives of the judiciary from the region and provided the opportunity to share best practices and experiences, successes and failures.

Participants represented countries that are part of the EU Accession Process (Croatia and Romania) and Stabilization and Association Process (Albania, Bosnia and Herzegovina, Macedonia, Serbia and Montenegro). Furthermore, experts from Slovenia, OECD, UNDP, USAID and ABA CEELI attended the Conference.

The topics discussed were:

- the implementation of European Standards in Public Procurement (Directive 2004/17 EC and Directive 2004/18 EC),
- the current case law in EU countries,
- best practices in the SPAI countries,
- implementation of e-procurement and e-governance projects.

The Conference also constituted a final step in drafting the new Montenegrin law on public procurement. With this occasion all participants provided valuable inputs that will be incorporated by the Drafting Committee within the final version of the law.

The Conference also brought into attention the possible links between the public procurement systems and their vulnerability to corruption.

A special panel designed and moderated by RSLO representatives discussed about the most efficient measures to be adopted, the importance of prevention and repression of corruption public procurement, victims of corruption and available channels for complaints and reparation of damages, sanctions and possible liability of the legal persons.

The active participation of the experts and the interest showed for this topic entitles RSLO to analyze the possibility of organizing a Regional Conference dedicated to the vulnerable points and risk factors for corruption within public procurement.

SPAI RSLO
partner organizations



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JOINT TRAINING WEEK FOR ANTICORRUPTION PROSECUTORS

ZAGREB, CROATIA – SEPTEMBER 4 – 10, 2005

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The pragmatic approach adopted by the prosecutors proved to be very fruitful and ensured the creation of a real working environment.

Within the conclusions of the meeting the participants expressed their openness to further develop the communication between the two Offices and invited RSLO to consider the continuation of the current project by involv-

ing similar specialized bodies from the region. Also, as a way of ensuring the exchange of information among anticorruption prosecutors, the participants manifested their support to the idea of creating a joint booklet on „Sharing best practices in fighting high level corruption within SPAI countries“.

A template of this booklet was developed by RSLO and distributed during the meeting.

„Sharing best practices in fighting high level corruption within SPAI countries“

RSLO's MEETING WITH THE SPAI SENIOR REPRESENTATIVES SARAJEVO, BOSNIA AND HERZEGOVINA, OCTOBER 3 - 4, 2005



SPAI RSLO in close cooperation with the senior representatives is tasked to jointly elaborate and present to the SPAI Steering Group the Plan for activities to be implemented within the SPAI framework in 2006 - 2007



"The meeting in Sarajevo constituted an opportunity to share and exchange information about the recent developments within the region, but also a preparatory phase in elaborating the first draft of the Plan for 2006 and 2007"

As stated within the Ministerial Declaration on 10 Joint Measures to Curb Corruption in SEE, SPAI RSLO in close cooperation with the senior representatives is tasked to jointly elaborate and present to the SPAI Steering Group the Plan for activities to be implemented within the SPAI framework in 2006 - 2007.

In order to better prepare the document and to ensure the full coordination among all SPAI countries, SPAI RSLO organized, at the beginning of October, a working meeting with the SPAI Senior representatives.

The main objectives of the meeting were

- to identify the areas of national and regional priority where RSLO may be involved;
- to develop the strategic plan for the senior representatives and SPAI RSLO during the next two years;
- to ensure the full coordination and exchange of information between the SPAI senior representatives and RSLO.

The meeting constituted an opportunity to share and exchange information about the recent developments within the region, but also a preparatory phase in elaborating the first draft of the Plan for 2006 and 2007.

In the first part of the meeting each senior representative highlighted the areas where the anticorruption efforts are focused, as well as the short and medium term priorities. Furthermore, each senior representative pointed out the type of activities where

RSLO involvement is required.

It was generally agreed that the discussed aspects to be incorporated within the Plan for 2006—2007.

During the second part of the meeting the RSLO team briefly presented the current state of play in implementing the Strategic documents of SPAI and the plans for the near future.

The Executive Secretary offered an overview regarding the process of creating and developing the Regional Office and the targets to be achieved in the next 2 years. The stress was put on the regional ownership principle and the objective of creating a self sustainable Regional Center for Excellence.

The Administrative assistant presented the general rules applicable in relation with RSLO regarding the financial management and organizational aspects. The Senior representatives were briefed about the mandatory rules for requesting support, accounting and reporting.

The Anticorruption expert introduced the main features of the Plan for 2006 - 2007 (available on www.spai-rslo.org) and opened the floor for each item to be discussed by the Senior representatives.

Outcomes of the discussions :

All Senior representatives supported the idea of the annual award and asked the Regional Secretariat to produce an outline before the Steering Group Meeting as a framework for further discussions during the SG Meeting scheduled for November 4 - 5 in Ohrid.

Very good inputs were re-

ceived regarding the Plan for 2006 - 2007 and also, a general agreement was reached on the 3 levels approach suggested by RSLO: SPAI, NATIONAL and RSLO.

It was also agreed that during the Steering Group Meeting each level to be discussed and approved separately. Based on this inputs the agenda of the Steering Group Meeting was redrafted by RSLO accordingly:

SPAI level activities/projects: SPAI SG MTG, SPAI Chairman, SPAI annual award, SPAI Resource Center, Cooperation with SPAI partners

National level activities/projects: priorities in implementing the Brussels Declaration, national/regional events planned together with RSLO

Presentation of the RSLO portfolio: national and regional events, twinning type activities, regional tour, internship program, summer school.

The Senior representatives welcomed the proposal made by RSLO to have only one Steering Group Meeting per year and to increase the number of meetings focused on the programmatic priorities.

Furthermore, the Senior representatives expressed their interest for the RSLO internship program.

As agreed during the meeting in Sarajevo, RSLO accommodated all the suggestions made by the Senior representatives within the working documents for the SPAI Steering Group Meeting.

EVENTS WITH RSLO'S PARTICIPATION

During September and October 2005, RSLO's Executive Secretary and Anticorruption Expert actively participated within various regional and national anticorruption events. During their presentations the RSLO representatives provided updated information about the progress reached by the Office and the member countries.

ZAGREB, CROATIA – SEPTEMBER 15—16, 2005

DESCRIPTION/TITLE:

Alpe - Dunav - Adria Regional Economy Forum

PARTICIPANTS:

Business community, NGOs, civil society and governmental representatives.

SPAI RSLO ROLE:

Executive Secretary to attend and deliver keynote speech about relation between corruption and business

BUDAPEST, HUNGARY – OCTOBER 10, 2005

DESCRIPTION/TITLE:

Round table – on Gaps, challenges and legacies in East European Democracies

PARTICIPANTS:

USAID Administrator, Regional Services Center, Various NGOs

SPAI RSLO ROLE:

Executive Secretary to attend and present the RSLO strategy

BLAGOEVGRAD, BULGARIA – October 14 – 16, 2005

DESCRIPTION/TITLE:

Balkan Parliament International Conference

PARTICIPANTS:

100 future decision-makers from the Balkans, ex-USSR, and Western Europe - 40 international guests and around 60 AUBG students

SPAI RSLO role:

Anticorruption expert to deliver one hour seminar course on anticorruption and a presentation about the role of SPAI and RSLO in the region

PODGORICA, MONTENEGRO – OCTOBER 19, 2005

DESCRIPTION/TITLE:

National Anticorruption Conference

PARTICIPANTS:

Montenegrin public authorities and NGOs, UNDP, Council of Europe, Anticorruption Initiative Directorate, MANS

SPAI RSLO role:

Executive Secretary to present the RSLO strategy

LJUBLJANA, SLOVENIA – OCTOBER 27, 2005
DESCRIPTION/TITLE:

SPOC Board Meeting

PARTICIPANTS:

SPOC contact points from the member countries, Donor community, Partner international organizations

SPAI RSLO role:

Executive Secretary to present the RSLO strategy

ANTICORRUPTION CALENDAR

SPAI RSLO EVENTS

9th SPAI Steering Group, Ohrid, Macedonia - November 4 – 5, 2005

Back to back events in Sofia, Bulgaria:

UN Convention against Corruption - Pre - ratification conference (November 7-9, 2005)

Regional workshop for anticorruption public prosecutors (November 9 – 11, 2005)

International Anticorruption Day, December 9th

National Anticorruption Conferences in Sarajevo (Bosnia and Herzegovina) and Chisinau (Moldova)

SPAI PARTNERS EVENTS

Stability Pact Regional Table and WT Meetings, Prague, Czech Republic, November 14—16, 2005

ABA CEELI and UNDP -- International Conference on *Assets Recovery for Judiciaries and Government Officials* from Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia (Belgrade, Serbia, November 17 – 18, 2005)

Council of Europe - Regional Thematic Seminar: *"Anti-corruption Services* (Belgrade, Serbia, 18 November 2005)

OECD - SPAI seminar on *Assessment of Conflict-of-Interest Laws* (Belgrade, Serbia, 19 November 2005)



STABILITY PACT ANTI-CORRUPTION INITIATIVE
REGIONAL SECRETARIAT LIAISON OFFICE

SPAIGram

Dear readers it is in our intention to further develop the SPAIGram.

To this end we kindly ask for your suggestions and comments.

Also, please send us a list of additional contact information for SPAI partners that are interested in receiving this newsletter in electronic format.

For additional information from SPAI countries and direct access to the SPAI Anticorruption Resource Center please visit our web site

www.spai-rslo.org



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