ISTANBUL ANTI-CORRUPTION ACTION PLAN

MANUAL FOR MONITORING EXPERTS

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About the OECD

The OECD is a forum in which governments compare and exchange policy experiences, identify good practices in light of emerging challenges, and promote decisions and recommendations to produce better policies for better lives. The OECD's mission is to promote policies that improve economic and social well-being of people around the world. Find out more at www.oecd.org.

About the Anti-Corruption Network for Eastern Europe and Central Asia

Established in 1998, the main objective of the Anti-Corruption Network for Eastern Europe and Central Asia (ACN) is to support its member countries in their efforts to prevent and fight corruption. It provides a regional forum for the promotion of anti-corruption activities, the exchange of information, elaboration of best practices and donor coordination via regional meetings and seminars, peer-learning programmes, and thematic projects. ACN also serves as the home for the Istanbul Anti-Corruption Action Plan. Find out more at www.oecd.org/corruption/acn/.

About the Istanbul Anti-Corruption Action Plan

The Istanbul Anti-Corruption Action Plan is a sub-regional peer-review programme launched in 2003 in the framework of the ACN. It supports anti-corruption reforms in Armenia, Azerbaijan, Georgia, the Kyrgyz Republic, Kazakhstan, Mongolia, Tajikistan, Ukraine and Uzbekistan through country reviews and continuous monitoring of participating countries' implementation of recommendations to assist in the implementation of the UN Convention against Corruption (UNCAC) and other international standards and best practice.

Find out more at www.oecd.org/corruption/acn/istanbulactionplan/.

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Introduction

Anti-Corruption Network for Eastern Europe and Central Asia

The Anti-Corruption Network for Eastern Europe and Central Asia (ACN) was established in 1998 as a regional forum for the promotion of anti-corruption reforms, exchange of information, elaboration of best practices and donor coordination.[1] The ACN is one of regional anti-corruption programmes of the OECD Working Group on Bribery.[2] The ACN Secretariat is located at the OECD Anti-Corruption Division; it is guided by the ACN Steering Group composed of National Coordinators from ACN countries, as well as representatives from OECD countries, international, and non-governmental organisations.

For further information on ACN visit its website www.oecd.org/corruption/acn.

Istanbul Anti-Corruption Action Plan

The Istanbul Anti-Corruption Action Plan (IAP) is a sub-regional ACN programme of mutual reviews which involves nine countries. Armenia, Azerbaijan, Georgia, Russia[3], Tajikistan and Ukraine joined this initiative at the ACN General Meeting in September 2003 in Istanbul, Turkey. Kyrgyzstan joined the Action Plan in October 2003 and Kazakhstan – in December 2004. Uzbekistan joined the Action Plan in March 2010. Mongolia joined the Istanbul Action Plan at the ACN Steering Group in December 2012. Other ACN and OECD countries, international organisations, and civil society participate in the implementation of the Istanbul Action Plan as monitoring experts, donors and hosts of various events.

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[1] The ACN is open for all countries in Eastern Europe and Central Asia, including Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Former Yugoslav Republic of Macedonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Montenegro, Romania, Russia, Serbia, Slovenia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. OECD countries participate in the ACN as partners or donors. The ACN is open for participation by international organisations, such as the Council of Europe and its Group of States against Corruption (GRECO), the Organisation for Security and Cooperation in Europe (OSCE), the UN Office on Drugs and Crime (UNODC), and the UN Development Programme (UNDP), as well as multi-lateral development banks, such as the Asian Development Bank, Council of Europe Investment Bank, EBRD, and the World Bank. The ACN is also open for participation by non-governmental partners, including Transparency International and other non-governmental and business associations.

[2] The OECD Working Group on Bribery in International Business Transactions is made up of representatives from the Parties to the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; for information about the Working Group, please refer to www.oecd.org/daf/nocorruption.

[3] Russia no longer participates in the Istanbul Action Plan, as it is engaged in the mutual examination by the OECD Working Group on Bribery.

The implementation of the Istanbul Action Plan up to date involved the following stages:

Review of legal and institutional frameworks for fighting corruption. Istanbul Action Plan countries prepared self-assessment reports on the basis of standard Guidelines, drawn up by the Secretariat. Groups of experts from ACN reviewed these self-assessment reports (without on-site visits) and developed recommendations, covering three main areas: (1) anti-corruption policies and institutions, (2) criminalisation of corruption and law-enforcement, and (3) preventive measures in public service. ACN plenary meetings discussed and adopted country assessment reports and recommendations based on consensus. Country reviews were completed during 2003-2005.[4]

First round of monitoring. The first round monitoring of implementation of country-specific recommendations was based on answers to individual Monitoring Questionnaires prepared by the Secretariat for each country. Groups of experts from ACN reviewed these answers and visited the countries to collect additional information. On the basis of the answers to the questionnaire and information gathered during the on-site visit, the experts developed draft monitoring reports, which included assessment of progress and ratings for compliance with recommendations as fully, largely, partially or not implemented. The draft monitoring reports were presented for the discussion and adoption at plenary meetings. The first round of monitoring was completed during 2005-2007.

Second round of monitoring. The second round of monitoring revisited the level of countries' compliance with recommendations given at the initial country review, but included three new elements: (1) it involved the Standard Monitoring Questionnaire based on the UNCAC standards; (2) the monitoring report included updated compliance ratings for the previous recommendations as well as new recommendations; (3) upon the completion of the monitoring, the Secretariat organised return missions to the monitored countries to present the reports to the public officials, civil society and international partners in order to promote the implementation of the recommendations. The second round of monitoring was completed during 2009-2012.[5]

Third round of monitoring. The ACN Steering Group agreed to continue comprehensive country reviews under the Istanbul Anti-Corruption Action Plan at the 14th ACN Steering Group meeting on 11 December 2012 in Paris. To ensure consistency the 3rd round of monitoring is based on the comprehensive approach as during the previous monitoring rounds but to reduce the burden on the countries, and to avoid duplication with other international reviews, the 3rd round will not repeat a full review of the entire anti-corruption system undertaken during the 2nd round. The 3rd round will assess compliance with the specific country recommendations adopted during the 2nd round and will focus mainly on implementation and enforcement measures.

Progress updates. After adoption of the country reports, the Istanbul Action Plan countries prepare updates about measures taken by them to implement the recommendations and present them for discussion at each plenary meeting to ensure follow-up. Since April 2014 a new practice of progress

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[4] Except for the review of Uzbekistan and Mongolia that took place in 2010 and 2014 respectively, based on the standard questionnaire used during the second round of monitoring.
[5] Uzbekistan underwent joint first and second rounds of monitoring in 2011-2012; joint first and second rounds of monitoring of Mongolia are scheduled for 2015.

updates has been tested, whereby a brief evaluation of the reported progress is prepared and discussed during the plenary meeting, with the following publication of the conclusions.

Country reports are discussed and adopted at the ACN plenary monitoring meetings. All country reports and updates, as well as summary reports prepared by the Secretariat, are published on the ACN web site.[6]

Monitoring methodology

The methodology for the third round monitoring under the Istanbul Anti-Corruption Action Plan was approved by the ACN Steering Group at its meeting on 11 December 2012 as an integral part of the ACN Work Programme 2013–2015.

Objectives and principles

The objective of the third round of monitoring is to promote compliance of the participating countries with the UNCAC requirements and with other international anti-corruption standards, such as the OECD and the Council of Europe instruments, and with international good practices. Istanbul Action Plan monitoring is not linked to any specific international instrument and uses as benchmark all available international standards (both 'hard' and 'soft' law instruments), as well as good practice.

This objective is achieved through continued peer review that allows countries supporting each other by mutually assessing progress and challenges and making recommendations for further actions. Recognising that practical implementation of anti-corruption measures remains the main challenge for the Istanbul Action Plan countries; the *focus of the third round of monitoring is on the practical measures* taken to enforce anti-corruption legislation in areas covered by the recommendations.

Comprehensive approach – the third round of monitoring continues to cover all three areas of anti-corruption efforts, namely anti-corruption policy, criminalisation and prevention of corruption; however it does not involve a full new review, but focuses on the recommendations adopted in the previous round. Continuation of the comprehensive approach provides additional value to the UNCAC and GRECO examinations and provides useful inputs for country policy-makers.

Peer review methodology - the third round of monitoring is conducted as an intergovernmental peer review process, where experts nominated by ACN countries review other IAP countries. Experts from IAP countries are systematically involved in the monitoring of other countries participating in this initiative, together with experts from other ACN and OECD countries to ensure transfer of experience; representatives of international organisations may also take part in the monitoring.

Participation of civil society is promoted through contribution to the preparation of the monitoring report, participation in the on-site visits and in the plenary meetings. The civil society may also contribute to the monitoring by preparing "shadow" reports which will be taken into account in the country assessment. Public participation, transparency of the monitoring process and the publication

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[6] http://www.oecd.org/corruption/acn/anti-corruptionnetworkcountrymonitoringreports.htm.

of the reports remains an important advantage and outstanding feature of Istanbul Action Plan. The third round of monitoring provides for enhanced involvement of the civil society of the country under monitoring, as the NGOs and other non-governmental partners are invited to provide replies to the monitoring questionnaire and draft monitoring report at the same time as the Government.

Equal treatment and consensus based decision-making - as in the previous reviews and monitoring rounds, the assessment and recommendations is developed in a manner to ensure equal treatment of all countries, where similar rules and procedures apply to all countries. The assessment and recommendations are adopted on the consensus basis, whereby countries undergoing the monitoring are included in the decision-making and the reports are adopted with their agreement. This allows ownership of the report by the country under monitoring and also means that the country may not backtrack and declare its opposition to the recommendations given during previous round.

Co-ordination with other international organisations continues to be an important part of the Istanbul Action Plan process, in order to ensure that assessments and recommendations adopted in different international frameworks reinforce each other and draw on each other's findings. This co-ordination aims at avoiding unnecessary duplication of work by the international organisations and by the monitored countries. The ACN Secretariat ensures regular coordination with the Council of Europe's GRECO and with the UNODC, and encourages countries to contribute their monitoring reports to the UNCAC country reviews.

Questionnaire and issues paper

Individual monitoring questionnaires will be developed by the Secretariat in consultations with the monitoring teams for each country. Answers to the monitoring questionnaire will include the following elements: (1) description of policy, legislative and institutional measures taken by the government to implement the recommendations of the 2nd round of monitoring, together with copies of relevant documents; (2) information about *actions* taken by the government to enforce the above mentioned policy, legislative and institutional measures *in practice* and about *their results*, together with reports and data demonstrating the relevant actions and their results, and (3) information about other significant anti-corruption measures taken by the country which were not covered by the recommendations.

National Coordinators should ensure that all necessary information is provided to the monitoring team. To this end, National Coordinators will liaise with all relevant state bodies and collect from them information necessary to fill out the questionnaire; they will compile answers to the questionnaire and will submit them to the Secretariat. Information provided in the answers to the monitoring questionnaire should cover the time period since the adoption of the second round monitoring report for each country. Answers and documents can be submitted in English or in Russian. After receiving the initial replies to the questionnaire monitoring team has an opportunity to ask additional questions in order to clarify answers provided or to request replies to questions which were not replied in satisfactory way (e.g. in case of incomplete or irrelevant answers).

The Secretariat will also share the questionnaire with civil society and business organisations, as well as international partners inviting them to provide inputs, e.g. replies to separate sections or the whole questionnaire, materials on the issues covered by the questionnaire, including the possibility of preparing "shadow" reports on progress made in implementing the recommendations of the 2nd round of monitoring.

The monitoring team together with the Secretariat will review the answers to the questionnaire provided by the evaluated country, including answers to additional clarifying questions, and by the non-governmental partners. Each expert will need to develop a list of issues regarding his or her topics that should be raised and clarified during the on-site visit to the country.

To help the experts in this task and in order to prepare them for the on-site visit, the Secretariat will prepare a preliminary assessment in the form of an *issues paper*. This preliminary assessment will aim to determine which issues have been sufficiently described in answers, namely covering all elements in the recommendation and both the measures taken and their implementation and results achieved, and which issues require further research and discussion during the on-site visit. This issues paper will be circulated by the Secretariat to the monitoring team prior to the on-site visit and will include a list of issues to be raised during the on-site visit under each recommendation, based also on input received from experts.

When reviewing the information provided by the country, *i.e.* responses to the monitoring questionnaire and supporting documents, and the issues paper developed by the Secretariat, experts may find it useful to look at the previous monitoring report and additional sources of information such as the relevant reviews and surveys of other international organisations or NGOs, articles in scientific and other journals and newspapers, etc.

On-Site Visit

The Monitoring team will conduct an on-site visit to the country and will hold meetings with public authorities, civil society, business and representatives of the international community in order to collect and verify information necessary to prepare the monitoring report. The duration of the on-site visit will be up to 5 working days.

The National Coordinator will prepare the agenda of the on-site visit based on the model agenda adopted as a part of the ACN Work Programme for 2013-2015 (please see Table 1 below), and will provide the draft with the names and positions of the individuals to the Monitoring Team and the Secretariat. If necessary, the Monitoring team and Secretariat may provide comments and suggestions, including additional meetings during the on-site visit can be requested. The *thematic sessions can be organised in parallel*, where examiners may split by themes to allow them to have a more in-depth examination, while other session will include all examiners.

The Secretariat will be responsible for organising special panels with representatives of non-governmental organisations, business and international partners engaged in anti-corruption and good governance activities in the country. The National Coordinator may suggest to the Secretariat

to invite particular NGOs or foreign partners to these sessions. However, government officials will be invited to abstain from participation in these meetings.

During or immediately after the on-site visit, the Monitoring team may request additional information and documents which should be provided to them through the National Coordinator within two weeks.

Table 1. Model Agenda for the On-Site Visit

Day 1		
	Arrival of the monitoring team	
	Preparatory meeting for the monitoring team	
Day 2		
Morning	**Introduction to the on-site visit** **Panel 1. Anti-Corruption Policy and Institutions (Recommendations 1.1-1.5)** 1. Expressed political will 2. Anti-corruption strategy and action plan 3. Anti-corruption plans in risk sectors 4. Anti-corruption policy institutions 5. Corruption research 6. Public participation 7. Raising public awareness, education and trainings	**Invited institutions:** • National Coordinator • Administration of the President • Prime Minister's Office • Parliament • Body (ies) responsible for policy coordination • Other relevant state bodies, including in sectors with high risk of corruption
Afternoon	**Special panel with civil society** **Issues for discussion:** Public participation in anti-corruption policy	**Invited institutions:** • TI local chapters, other civil society groups, such as lawyers associations, consumers associations, freedom of information associations • Media, investigative journalists, research agencies • University professors and academics
	Special panel with business representatives **Issues for discussion:** Experience of companies related to corruption	**Invited institutions** • Business associations • Private and state owned companies, SMEs and MNE • Foreign investors
Evening	*Debriefing for the monitoring team*	

Day 3		
Morning	**Panel 2. Criminal legislation on corruption (Recommendations 2.1-2.7)** 1. Offences and elements of offences 2. Liability of legal persons 3. Definition of public official 4. Sanctions and confiscation 5. Immunities, defences 6. Other criminal law issues **Invited institutions:** • Ministry of Justice • General Prosecutor's Office • Police/Ministry of Interior • Parliament • Specialised anti-corruption bodies	**Panel 3. Integrity in public service (Recommendation 3.2)** 1. Recruitment, promotion, remuneration 2. Restrictions, conflict of interests, asset declarations, codes of conduct 3. Reporting and whistle-blowers' protection **Invited institutions:** • Public Service Body • Public Service Academy • Specialised anti-corruption bodies (responsible for prevention) • Other relevant state bodies, including in sectors with high risk of corruption
Afternoon	**Panel 4. Pre-trial investigation, prosecution and adjudication of corruption (Recommendations 2.8 - 2.10)** 1. Responsible law-enforcement bodies and their capacity 2. Investigative procedures and tools 3. Results in investigation and prosecution of corruption 4. Results in adjudicating corruption cases 5. International co-operation and MLA **Invited institutions** • Courts • General Prosecutor's Office • Police/investigation agencies/Ministry of Interior • Specialised anti-corruption bodies with law enforcement powers • FIUs and/or financial police • MLA authorities	**Panel 5. Corruption in public procurement (Recommendation 3.5)** 1. Anti-corruption in public procurement **Invited institutions** • Central public procurement body • Procurement units/experts from individual agencies (e.g. health, education, public works) • Investigators and prosecutors dealing with cases of corruption in public procurement • Body (ies) responsible for complaints and oversight
Evening	*Debriefing for the monitoring team and Secretariat*	

Day 4		
Morning	**Panel 6. Financial control and audit (Recommendation 3.4)** 1. Public financial control and audit **Invited institutions** ● Supreme audit body ● Financial inspection of Ministry of Finance Internal audit/control units in various ministries	**Panel 7. Transparency of public administration and Access to information (Recommendations 3.3 and 3.6)** 1. Anti-corruption screening of legal acts 2. Administrative procedures and complaints 3. Access to information **Invited institutions** ● National Coordinator ● Ombudsman ● Ministry of Justice ● Parliament ● Body responsible for protecting the right to free access to public information ● Institution responsible for regulatory reform/business environment
	Special panel with international community; Issues for discussion: Assistance and cooperation programmes on corruption and good governance **Invited institutions:** ● Bi-lateral aid agencies ● Economic and trade attaches ● International organisations and IFIs ● International foundations and internationally funded programmes	
Afternoon	**Panel 8. Political corruption (Recommendations 3.7)** 1. Political parties financing 2. Regulations and other measures preventing corruption for politicians **Invited institutions** ● Central election commission ● Parliament ● Body(ies) monitoring of political party and electoral campaigns financing ● Bodies responsible for ethics of political officials ● Parliamentary ethics commissions ● Other government bodies responsible for this issue	**Panel 9. Corruption in judiciary (Recommendation 3.8)** 1. Independence of the judiciary 2. Integrity and accountability of the judiciary **Invited institutions** ● Judges ● High Council of Justice ● Court Administration ● School of Judges ● Parliament
Evening	*Debriefing for the monitoring team*	
	Dinner hosted by the evaluated country (optional)	

Day 5		
Morning	**Panel 10. Corruption in business sector (Recommendations 3.9)** 1. Reform of business regulations 2. Efforts of the government to promote compliance in companies **Invited institutions** • Specialised anti-corruption body • Ministry of Justice • Ministry of Economy (relevant department/s) and other relevant regulatory bodies)	Additional meetings (in necessary)
Afternoon	*Debriefing for the monitoring team*	
	Closing meeting with the national coordinator and other relevant representatives	
	Departure of the monitoring team	

Monitoring Report

Structure

The monitoring report should contain an *assessment of compliance with the recommendations* adopted during the second round of monitoring and new recommendations for further action. For each recommendation, the report should include the following elements: (1) description of *policy, legislative and institutional measures* taken to implement the recommendation, description of *actions taken to enforce these measures in practice and the results* of these enforcement measures; (2) assessment of the achieved level of implementation of the recommendation, including progress and remaining gaps, and a compliance rating; and, (3) new recommendation, when appropriate. If the previous recommendation remains valid, this should be noted in the report.

The report may also include a *description of other significant anti-corruption measures* taken by the government outside the scope of the 2nd round of monitoring recommendations; however it should not contain assessment or rating of such measures.

If Government informs about *additional measures taken after the on-site visit*, they can be taken into account in the evaluation and compliance rating only if information is provided *not later than one month before the plenary meeting*, at which the report is discussed.

Ratings

There are four compliance ratings: **fully compliant**, **largely compliant**, **partially compliant** and **not compliant**.

TABLE 2. COMPLIANCE RATINGS EXPLAINED

RATING	EXPLANATION
Fully compliant	All elements of the recommendation were implemented by the country.
Largely compliant	Most elements of the recommendation (more than one half) were fully implemented and only few elements were not implemented.
Partially compliant	Some of the elements of the recommendation (less than one half) were implemented, but most of them remain unimplemented.
Not compliant	None of the elements of the recommendation were implemented.

Concerning the rate of compliance with recommendations that require *adoption of documents*, a country can be fully compliant if all aspects of the recommendation are met. For instance, if the recommendation required that the country introduce new legislative provisions, full compliance would require that a legal act was adopted and entered into force at least one month before the plenary meeting and that the act includes all recommended provisions. If the adopted and enforced act includes many or several provisions, the country will be considered largely or partially compliant.

If the draft act includes all the recommended provisions, but it is in planning or preparatory stages, this can be reflected in the text of the report, but will not affect the ratings.

Concerning the rate of compliance with recommendations that require the country to *implement certain measures in practice*, the country can be considered fully compliant if it can provide information, including statistics where applicable, which demonstrates the practical measures that were taken to implement the recommendation, and if it can demonstrate that these measures led to resolution of the problem. For instance, if the recommendation required that the country provided ethics training to its public officials, the country will need to provide detailed information about the ethics training provided in practice, including the number and categories of public officials trained, the substance of the training (e.g. training agenda, lists of participants and trainers, hand-out materials, evaluation reports), and the impact of the training on the public officials, such as the results of surveys and other studies that demonstrate positive change in ethics behaviour and attitudes of the public officials. If the implementation measure led to a significant or partial resolution of the problem, the country can be rated as largely or partially compliant. Only information provided no later than one month before the plenary meeting will be taken into account.

If the recommendation required that the country *considered* implementing a certain measure, full compliance would require that the country demonstrate that it assessed the feasibility of introducing the required measure and an official grounded decision was taken to introduce it or not; country will need to show evidence of such consideration, e.g. policy papers, reports, internal notes, public discussions, etc.

Drafting

After the on-site visit the monitoring experts are invited to prepare and submit their inputs for the sections of the draft report assigned to them. The Secretariat collects these inputs and on this basis prepares the draft report. The monitoring experts are then invited to review the draft report.

The Secretariat will send the draft report to the monitored country, the civil society, business and international partners for comments. The monitoring experts are invited to review the comments, and advise the Secretariat on how to revise the draft report. The Secretariat, on the basis of the experts' inputs, finalises the draft and distributes it to the delegates of the plenary meeting.

Adoption

The draft report is presented for the discussion and adoption by the ACN at its plenary meetings. The discussion and adoption include the following stages: (1) bi-lateral preparatory meetings between the monitoring experts, the Secretariat and the monitored country in order to review outstanding issues and to identify possible solutions; and (2) plenary readings to review outstanding issues and to adopt the reports by the whole ACN plenary meeting. The report is adopted on the basis of consensus and using the principle of equal treatment. A model agenda of the plenary meeting is provided below.

TABLE 3. MODEL AGENDA OF PLENARY MEETING

Session	Description
First bi-lateral consultations*	• Presentation of the main conclusions of the assessment by the monitoring team; • Presentation of the proposed changes by the delegation of the monitored country; • Discussion of the proposed changes, inclusion of agreed changes in the draft report; • Identification of outstanding issues where no agreement was reached for the presentation at the plenary meeting.
First plenary reading	• Presentation of the draft report by the monitoring experts, including changes that were introduced during the first bi-lateral consultation, and about any outstanding issues; • Presentation by the delegation of the monitored country of their views on the draft report, including any areas of disagreement; • Presentation of views of the civil society and international partners (when available); • Plenary discussion of the draft report including outstanding issues, ratings and the new recommendations; representatives of countries that were involved in the 2nd round of monitoring of the examined country will be invited to start the discussion, followed by all other present countries; • Identification of outstanding issues for discussion in the second bilateral consultation.
Second bi-lateral consultations*	• Discussion of the outstanding issues identified by the plenary with the aim to develop an agreed text of assessment, ratings and new recommendations, and to present them in track changes mode for the plenary; • Identification of unresolved issues to be presented for the discussion in the plenary.
Second plenary reading	• Presentation of the changes introduced to the report during the second bi-lateral consultations by the monitoring experts; • Plenary discussion of the proposed changes with the view to adopt the final report.

* Note: The bilateral consultations involve the delegation of the monitored country, the monitoring team and the Secretariat. Other delegates, e.g. civil society groups or representatives of other countries and international organisations, can participate in the session with the agreement of the monitoring team and the monitored country.

Publication

The monitoring report as adopted by the plenary meeting is considered final. After linguistic editing and corrections by the Secretariat, in consultation with the monitored countries, the report is published on the ACN web site in English and in Russian. The Secretariat prepares the press release on each monitoring report.

Follow-Up

Official letter

The Secretariat sends an official letter with a copy of the monitoring report to the Prime Minister/President and the National Coordinator of each monitored country, and invites them to

further disseminate the report, including provide it to the UNODC Secretariat as part of the information that it is required to submit for the review of its implementation of the UNCAC.

Return mission

A one-day return mission to the monitored country is organised as soon as possible after the adoption and the publication of the report to present the monitoring round report and discuss its implementation. The return mission includes: (1) a joint meeting with relevant public institutions, NGOs, academia and international partners; (2) a press conference; (3) a bilateral meeting with the National Coordinator; and, (4) consultations with international partners, if appropriate. The organisation of the joint meeting, press conference and the bi-lateral meeting is the responsibility of the National Coordinator; the Secretariat is responsible for the organisation of consultation with international partners.

Progress updates

After adoption of the monitoring report, the evaluated country presents, at each subsequent ACN plenary meeting, its progress updates. These updates should include brief summary of measures taken to implement recommendations, and may also cover other major anti-corruption developments. The countries are required to provide information on implementation measures that were taken for each of the recommendations, and to provide supporting documents, such as legal and other official acts, implementation reports, statistical data and other relevant information in annexes to the progress update. Written versions of the updates should be provided by the National Coordinators to the Secretariat four weeks before the plenary meeting in English or Russian.

In preparation for the plenary meeting the Secretariat liaises with experts who participated in the monitoring, or delegates from their countries or organisations replacing them at the plenary meeting, and invites them to study the update in advance of the meeting and to prepare an assessment of progress. As some of the delegates participating in the plenary meeting may not be familiar with the specific countries' monitoring, the experts from their country or organisation who were involved in the monitoring are invited to provide them their assessment to assist the delegates to prepare for the plenary. With the assistance from the Secretariat, they should identify if any progress has been achieved in the implementation of each recommendation since its adoption or since the previous progress update. "Progress" for the purposes of the assessment means any practical and meaningful measures that were taken by the country towards the implementation of the recommendation. "Lack of progress" means that no such actions were taken. Experts may wish to prepare a written version of their assessment in advance of the meeting; however, it is not mandatory.

Civil society groups and other partners are invited to contribute to the discussion of the progress updates. The inputs from the civil society and other partners are taken into account in preparation and discussion of the assessment.

During the plenary meeting, experts who took part in the monitoring or delegates from their countries replacing them at the plenary meeting discuss the assessment between the expert team

and the country in the bilateral preparatory meeting. The expert team selects one rapporteur to present the assessment to the plenary session. The country is given an opportunity to provide reactions to the experts' assessment. After that the plenary discusses the progress update and to endorse the assessment. The Secretariat prepares a summary record of the discussion, including the reflection of progress, which is added to the written progress updates prepared by the countries. The Secretariat prepares the summary of this discussion after the meeting, and publishes it on the ACN web site.

ACN evaluation

The ACN Work Programme for 2013-2015 includes the evaluation of its implementation. The evaluation includes regular internal self-evaluations and an external evaluation. To prepare the internal self-evaluation, the Secretariat prepares evaluation questionnaires to various groups of ACN partners, including the monitoring experts.

The Secretariat collects and analyses the responses, and prepares reports for the discussion of the Steering Group. This evaluation is intended to improve performance under the ACN Work Programme, take into account lessons learned in the future decision-making.

The external evaluation will be undertaken by an external consultant who will conduct desk research as well as interviews with various ACN partners, including possibly the monitoring experts. The evaluation will identify the factors of success or failure, assess the sustainability of results and impact, and draw conclusions that may be used for the completion of the Work Programmes and for the development of the future ACN activities. The results of the evaluation will be made available to the ACN Steering Group, including donors who provide funding to the ACN activities for their reporting purposes.

Role of monitoring experts

Selection of monitoring experts

For the monitoring of each country under the Istanbul Action Plan, the OECD/ACN Secretariat establishes a monitoring team of experts. For this purpose, the Secretariat approaches individual experts, who were recommended by the ACN National Coordinators or by other ACN partners (e.g. other OECD divisions, other international organisations and partners), or who are known to the Secretariat through other activities, such as thematic studies or law-enforcement network. When looking for the potential experts, the Secretariat pays attention to the following factors:

- Position: to ensure the peer review principle, experts from state institutions are invited, as well as experts from intergovernmental organisations in some cases; experts do not represent their countries/institutions but act in their personal capacity;

- Professional expertise: to make sure that all the topics of the monitoring report are covered;

- Skills: knowledge of English and/or Russian, as monitoring is conducted in one of these languages, drafting skills, monitoring skills;

- Country involvement: to ensure that all IAP countries have a chance to take part in the monitoring, and that other ACN countries have a balanced representation as well, and

- Availability for the monitoring work: that expert is willing and able to dedicate time to the monitoring.

The Secretariat contacts the identified expert to seek confirmation of his/her participation and to agree which sections of the monitoring report is be covered by the expert. The monitoring schedule is finalised in consultation with the monitoring team.

Upon request of the expert the Secretariat prepares an official letter addressed to the expert's institution to facilitate expert's participation in the monitoring process.

Main tasks of the monitoring experts

A monitoring expert has the following responsibilities during the monitoring process:

- Preparatory stage: commenting on the draft questionnaire, submission of additional questions and commenting on the on-site visit agenda; studying of the Issues Paper and conducting independent desk research;

- On-site visit: chairing panels with the government officials on topics the expert is responsible for, and contributing to discussions in other panels; taking part in debriefing meetings of the monitoring team;

- Drafting the report: providing input for the text of the draft report, including assessment of the implementation of old recommendations and the ratings of the previous recommendations, and drafting new recommendations; reviewing draft report prepared by the Secretariat;

- Plenary meeting: presenting, negotiating and finalising of the report with the support from the Secretariat; participation in the bilateral and plenary sessions;

- Follow-up: depending on expert's availability and importance of certain recommendations, one of the experts will be invited to take part in the return mission to present the adopted report in the country; experts will also be invited to contribute to the assessment of regular progress updates, and the evaluation of the ACN.

A model schedule for the monitoring experts is presented below in Table 4.

TABLE 4. MODEL SCHEDULE OF TASKS OF MONITORING EXPERTS

Action	Tasks of monitoring experts	Deadline
PREPARATORY STAGE		
Establishing the monitoring team	Commit to the monitoring; contribute to establishing the schedule and distributing the topics among the experts.	4 months before the visit
Preparing the monitoring questionnaire	Contribute to development of the parts of the monitoring questionnaire covered by the expert.	4 months before the visit
Review of responses to the questionnaire	Review answers to the questionnaire's on topics covered by the expert and propose additional questions or request additional information if needed. Review the answers to the additional questions.	1 month before the visit
Additional research	Carry out additional research based on any publicly available information, including official governmental data, reports by international organisations, academia, media or NGOs; propose issues requiring discussion/clarification during the on-site visit	3 weeks before the visit
Review of the Issues paper	Read the issues paper prepared by the Secretariat that includes a preliminary assessment of implementation of recommendations and questions to be raised during thematic panels during the on-site.	several days before the visit
Preparation of the on-site agenda	Review draft agenda of the on-site visit and suggest any additional public institutions to be invited to the meetings.	2 weeks before the visit
ON-SITE VISIT **UP TO 5 DAYS**		
Preparatory meeting	During the preparatory meeting of the monitoring team at the beginning of the on-site, discuss the preliminary assessment and main issues to be covered in each session.	
Thematic panels	Each expert will chair the sessions with state authorities that fall under his or her responsibility. Experts will contribute to the discussions during other panels with the officials, as well as with the civil society, business sector, and international organisations.	3 months before the plenary meeting
Concluding meeting	Present the preliminary assessment, formulate main findings and propose the compliance ratings for sections of the report that the expert is responsible for.	
List of additional information	Make a list of additional information and documents that should be requested from the country after the on-site visit.	
DRAFTING OF THE REPORT		
First draft	Contribute to the drafting of the relevant sections of the first draft of the monitoring report, including by providing: (1) text or bullet points with the assessment of implementation of the recommendations and additional relevant information/comments; (2) compliance ratings on the previous recommendations; and (3) new recommendations (if needed).	1.5 month before the plenary meeting

Action	Tasks of monitoring experts	Deadline
Second draft	Review the comments to the first draft received from the country, and contribute to the preparation of the second draft, which will be sent to the participants of the plenary meeting. Review relevant chapters and inform the Secretariat which changes should be accepted and which not.	1 week after receiving the comments on the draft report
PLENARY MEETING **UP TO 3 DAYS**		
Bi-lateral consultations	In a bilateral meeting with the monitored country: (1) discuss changes in the monitoring report proposed by the country; (2) agree on the accepted changes; and (3) identify the outstanding issues where no agreement was reached for the presentation at the plenary meeting.	
Plenary readings	Present the parts of the draft monitoring report covered by the expert, including changes that were introduced during the bi-lateral consultations, and outstanding issues.	
	Note the arguments of the delegation of the monitored country, views of the civil society and plenary discussion, and propose changes to the text of the assessment report, including the assessment, the ratings and the new recommendations, to ensure the adoption of the report based on consensus.	
FOLLOW-UP		
Return mission 1 day	The Secretariat and one monitoring expert visit the country to present the monitoring report and discuss how the new recommendations can be implemented during: (1) a joint meeting for public institutions, non-governmental and international partners, (2) a press conference, (3) consultation with international partners.	2 months after the adoption of the report
Progress updates	Contribute to the assessment of the progress updates.	Every ACN plenary meeting, approximately twice per year
	If the expert participates in the plenary meeting, he or she will study the progress update prepared by the country and other available information, will discuss the assessment with the country in the bilateral preparatory meeting. One of the experts from the preparatory meeting will be selected as the rapporteur to present the assessment to the plenary session.	
	If expert does not participate in the meeting, he or she will be invited to assist the delegate from his or her country attending the meeting to prepare for the assessment. To this end, the expert can prepare a written version of his/her assessment in advance of the meeting and share it with his/her country delegate representing country at the plenary meeting and with the Secretariat.	
Evaluation of the ACN	Contribute to the internal and external evaluation of the implementation of the ACN Work Programme by filling out evaluation questionnaires prepared by the Secretariat, and responding to the external evaluator.	Approximately half a year after the monitoring, and during 2014-2015

Practical information for monitoring experts

If the expert invited by the ACN Secretariat to take part in the monitoring needs an **official letter** to his or her employer, he or she is invited to inform the Secretariat about it.

The OECD covers the **costs** of the experts related to their participation in the on-site visit and in the ACN plenary meeting in Paris and return mission, including the economy class roundtrip air tickets to the country under monitoring and to Paris and standard per diems, from which expert pays for his/her hotel accommodation, meals and other local expenditures during both missions, unless some costs are pre-paid by the host country of by the Secretariat. The remuneration for the monitoring-related work of the expert in the form of fees or any other form is not foreseen by the OECD. When possible, the ACN countries are encouraged to contribute to co-funding the ACN work by covering some of the expenses of the monitoring experts from their countries.

All costs such as hotel accommodation, visas, meals and other incidental expenses, except air travel costs, should be advanced by the monitoring expert - as much as possible - and will be refunded by the OECD after the mission, upon reception of the original receipts, such as the hotel invoice. In the exceptional cases, if agreed with the Secretariat in advance, prepayment of the lump sum of all expenses can be provided during the on-site visit or the plenary meeting. Hotel and air travel are arranged by the OECD Secretariat for the monitoring team, unless the expert wants to make personal arrangement; the members of the monitoring team normally stay at the same hotel.

Whenever the visa is required for the monitoring expert for his/her visit to the country undergoing the monitoring or to France for the participation in the ACN Plenary Meeting, arranging the visa is the responsibility of each monitoring expert. The monitoring experts are recommended to check the information of the Foreign Affairs Ministry of their country before the country visit and plenary meeting and inform the Secretariat if they need visa. The Secretariat can provide a visa support letter if needed.

Information Resources

International standards and good practices
- United Nations Convention against Corruption (UNCAC): https://www.unodc.org/unodc/en/treaties/CAC/
- OECD Anti-bribery convention and Working Group on Bribery http://www.oecd.org/daf/anti-bribery/oecdantibriberyconvention.htm
- Council of Europe conventions and other relevant standards: http://www.coe.int/t/dghl/monitoring/greco/documents/instruments_en.asp
- International standards and good practices on anti-corruption and integrity: http://www.oecd.org/cleangovbiz/

Country evaluation reports
- IAP reports: http://www.oecd.org/corruption/acn/istanbulactionplancountryreports.htm
- UNCAC Country reports: http://www.unodc.org/unodc/en/treaties/CAC/country-profile/index.html
- Council of Europe GRECO evaluation reports: http://www.coe.int/t/dghl/monitoring/greco/default_en.asphttp://www.coe.int/t/dghl/monitoring/greco/evaluations/index_en.asp
- OECD Country reports: http://www.oecd.org/daf/anti-bribery/countryreportsontheimplementationoftheoecdanti-briberyconvention.htm
- Civil society review reports: http://www.uncaccoalition.org/uncac-review/cso-review-reports

Selected other resources
- "Anti-corruption Reforms in Eastern Europe and Central Asia: Progress and Challenges, 2009-2013, Fighting Corruption in Eastern Europe and Central Asia", OECD (2013) English and Russian, http://www.oecd.org/corruption/acn/library/
- "Specialised Anti-Corruption Institutions - Review of models", OECD (2013) English and Russian, http://www.oecd.org/corruption/acn/library/
- "Corruption: Glossary of International Criminal Standards", OECD (2008), English and Russian
- "Study on Asset Declarations for Public Officials", OECD (2011), English and Russian
- UNODC UNCAC Legal Library: http://www.track.unodc.org/Pages/home.aspx
- SIGMA publications: http://www.sigmaweb.org/publications
- Doing Business Reports http://www.doingbusiness.org/
- EBRD Transition Report: http://www.ebrd.com/pages/research/publications/flagships/transition.shtml
- Transparency International: http://www.transparency.org/
- Freedom House: http://freedomhouse.org/report-types/