

Funded
by the European Union
and the Council of Europe



COUNCIL OF EUROPE



Implemented
by the Council of Europe

PRECOP-RF

Joint EU/CoE project on Protection of the Rights of Entrepreneurs in the Russian Federation from Corrupt Practices

Inception Report

25 November 2013

Project title and number	2312/Protection of the Rights of Entrepreneurs in the Russian Federation from Corrupt Practices (PRECOP RF)
Project area	Russian Federation
Budget	1,300.000.Euro (EU Funding 86.81%; CoE Funding of 13.19%)
Funding	European Union / Council of Europe
Implementation	Economic Crime and Cooperation Unit, DG I, Council of Europe
Duration	36 Months (starting date-1 January 2013)
Reported Period	01/01/2013 - 30/09/2013

The PRECOP RF is funded through the Partnership for Modernization, a jointly launched initiative by the EU and Russian authorities. One of the priority areas of this initiative is the effective functioning of the judiciary and strengthening of the fight against corruption.

For further information please contact:

Economic Crime and Cooperation Unit (ECCU)
Action against Crime Department
Directorate General of Human Rights and Rule of Law-DG I,
Council of Europe

Tel: +33-3-9021-4550
Fax: +33-3-9021-5650
e-mail: mustafa.ferati@coe.int
www.coe.int/corruption
www.coe.int/precop

Disclaimer:

This technical report has been prepared by the PRECOP RF project team. The views expressed herein can in no way be taken to reflect the official opinion of the European Union and/or of the Council of Europe.

Table of Content

1	Country context	5
1.1	State of Affairs.....	5
1.2	Institutional framework.....	5
1.3	Legislative framework	6
1.4	International engagements.....	7
1.5	Federal Ombudsman for the Rights of Entrepreneurs	8
1.6	Regional Ombudsmen for the Protection of Rights of Entrepreneurs.....	8
1.7	Interagency cooperation	8
1.8	Public Ombudsmen.....	8
1.9	Private sector initiatives.....	8
1.10	Legal associations	9
2	Project background	10
3	Project summary.....	11
3.1	Target Group[s].....	12
3.2	Project's Deliverables	12
4	Inception Activities.....	13
4.1	Summary of actions.....	13
4.2	Set-up of the Project Team/Recruitment.....	13
4.3	Project Office/Premises	14
4.4	Start-up activities.....	14
4.4.1	Start-up activities - Phase I (March 2013)	14
4.4.2	Start-up activities - Phase II (24-25 September 2013).....	14
4.4.3	1 st Steering Committee	15
4.4.4	Launching of the Project	16
5	Visibility/Media Coverage	19
5.1	PRECOP RF Website	19
5.2	The EU's visibility	20
5.3	Disclaimer.....	20
5.4	Publications	20
6	Budget and Contributions	21
7	Evaluation and Result Oriented Monitoring	21
8	Next Steps and Conclusions.....	22
8.1	Next Steps.....	22
8.2	Upcoming activities.....	22
8.2.1	Field staff training and participation in the meeting of the Economic Crime Cooperation Unit	22
8.2.2	Study visit to the CoE by the personnel of the Federal Business Ombudsman Office	22
8.3	Longer-term Project Impact	22
8.4	Steering Committee.....	23
8.5	Conclusions	23
9	Appendixes.....	24
9.1	Appendix 1: Workplan and indicative calendar	24
9.1.1	Workplan	24

9.1.3	Indicative Calendar of activities	37
9.2	Appendix 2: Lists of participants in the start-up activities	41
9.2.1	List of participants in the start-up activities/meetings in March 2013	41
9.2.2	List of participants in the start-up activities/meetings in September 2013.....	41
9.3	Appendix 3: Terms of Reference for the Steering Committee	43
9.3.1	SC Membership/Participation	43
9.3.2	SC Responsibilities.....	43
9.3.3	SC meetings and calendar	43
9.3.4	Ad-Hoc Steering Committee Meetings	44
9.3.5	List of permanent designated SC members.....	44
9.4	Appendix 4: Agenda for the 1 st Steering Committee Meeting.....	46
9.5	Appendix 5: Agenda for the Launching Conference	47
9.6	Appendix 6: Press Announcement for the launching event	48

1 Country context

1.1 State of Affairs

The Russian authorities have officially expressed concern that corruption and bureaucratic pressure on business is one of the main causes which hinders national economic growth and development in the country. It has also been recognized that raiding practices are carried out with the participation of bureaucratic structures or individual officials interested in gaining control of a business. In June 2012 the Russian President Vladimir Putin stated that “Instances when an entrepreneur faces a threat to his rights, bureaucratic pressure and corruption, administrative barriers – are problems that must be resolved expeditiously”.¹ The newly appointed Federal Ombudsman for the Protection of the Rights of Entrepreneurs Boris Titov (hereinafter: the Business Ombudsman) has stated that “today the raiding of property through the abuse of criminal legislation, threat of imprisonment has become a norm and it is being done mostly by law enforcement officials”.²

The World Bank survey on “Doing business”, also known as Ease of Doing Business Index (EDBI) ranked the Russian Federation 118th in 2012 and 112th in 2013, out of 183 countries. The EDBI index takes the average of a country's rankings on 10 topics, made up of a variety of indicators. A low EDBI ranking essentially means that the regulatory environment of the country is not conducive to the operation of business (Source: <http://www.doingbusiness.org>).

Russian business associations are receiving numerous complaints from entrepreneurs from various regions of the Russian Federation, which testify to the fact that business raiding with the participation of corrupt officials is widespread. According to various estimates every second entrepreneur in Russia is confronted with obstruction by corrupt officials for the purpose of extortion. The number of complaints being filed by entrepreneurs is significantly lower than actual cases of extortion due to high risks of retaliation by officials, which entrepreneurs may face in case they file a formal complaint.

1.2 Institutional framework

Starting from 2003, various private sector associations have been proposed initiatives aimed at enhancing the role of business in anti-corruption efforts, and specifically to address significant problems such as raiding and illicit takeovers through abuse of Government and other law enforcement mechanisms. An association of small and medium-sized business in Russia – OPORA Rossii, created as early as 2003 a special Bureau for the protection of the rights of entrepreneurs and investors. In 2010 the Centre for public procedures “Business against Corruption” was created by the business association “Delovaya Rossia” to review entrepreneurs’ complaints with regard to cases of corruption, extortion and raiding.

Since 2010, the Russian Government has begun taking a series of systemic steps to introduce specific anti-corruption mechanisms to normalize the business environment, to improve the investment climate and eliminate administrative barriers. By Government Resolution 1298-r dated 2 August 2010 a First Deputy Prime Minister of the Russian Federation was tasked to coordinate federal executive authorities in development of proposals to improve the investment climate, lowering of administrative barriers, development of small and medium-sized business, as well as to consider appeals from Russian and foreign investors. Support to these activities was provided by the staff in the Department of investment policies and development of state-private partnership in the Ministry of Economic Development of the Russian Federation. The Deputy Plenipotentiary Representatives of the President in all the eight Federal Districts of the Russian Federation became regional Investment Ombudsmen.

Through Resolution 1298-r the Government also provided a special status to the abovementioned business associations in monitoring violations of entrepreneurs’ rights and introducing proposals to take remedial action. In December 2011, the business community voiced a request for the establishment of a Governmental Business Ombudsman, in order to increase the effectiveness and institutionalize the existing initiatives. In February 2012, then Prime Minister Vladimir Putin supported the demand during the “Forum Russia-2012”. On 7 May 2012,

¹ Speech of V.Putin at the St.Petersburg Global Economic Forum, June 21, 2012 (<http://www.kremlin.ru/news/15709>)

² Interview of B.Titov to Kommersant newspaper No. 124 (4909), 10.07.2012 (<http://www.kommersant.ru/doc/1977393>)

Presidential Decree No. 596 on the Main Directions of Development of Government Management was adopted, which *inter alia* referred to the creation of a special position of a Business Ombudsman.

The Federal Ombudsman for the Rights of Entrepreneurs was nominated on 22 June 2012 by Presidential Decree. The Ombudsman does not only deal with individual appeals and complaints from entrepreneurs, but is also responsible for elaborating legislative proposals aimed at reducing factors conducive to corrupt practices by State officials with regard to business.

Furthermore a Special Department for Supervising the Observance of the Rights of Entrepreneurs within the General Prosecutor's Office (GPO) of the Russian Federation was created on June 20, 2012. The key task of the Department is to monitor the conduct of law enforcement agencies for corrupt practices and prevent the abuse of their powers with regard to business.

1.3 Legislative framework

Federal Law No. 294 "On the protection of rights of legal persons and individual entrepreneurs in the course of government and municipal control (supervision)" was adopted on 26 December 2008. It introduced a new regulatory mechanism in the area of state and municipal control (supervision) of legal persons and individual entrepreneurs. In accordance with experts' assessments this Law has streamlined the relationship between government authorities and entrepreneurs in terms of planned and unscheduled inspections, it also instituted mandatory supervision of these inspections by the General Prosecutor's Office of the Russian Federation.

In recent years the Russian authorities have steadily been undertaking steps to reform criminal legislation in order to institute punishment for extortive practices on one hand, and on the other to ease adjudication for entrepreneurs. A Law dated 1 July 2010 (No 147-FZ) introduced amendments to the Criminal Code of the Russian Federation in order to address the pressing issue of corporate raiding - i.e., hostile takeovers of businesses by competitors.

On 4 May 2011, the Federal Law (No 97-FZ) "On Amendments to the Criminal Code and the Code of Administrative Offences of the Russian Federation to Improve State Anti-Corruption Management" was promulgated, providing for the possibility of punishment for a bribe in the form of a fine proportionate to the size of the bribe as an alternative to prison sentence. Depending on the gravity of the offense, a fine can range from 600 Euro to 12 million Euros.

The National Anti-Corruption Plan adopted by the Russian Government on 12 March 2012 contained a number of important initiatives in this area, most notably the creation of legislative mechanisms to regulate lobbying as well as the development of an anti-corruption charter by Russian business.

On 3 December 2012, amendments to the basic Law on the Prevention of Corruption were adopted providing for anti-corruption measures to be taken by the private sector in the form of mandatory compliance programs, which should include:

- Designation of a unit or official responsible for the prevention of corruption or other illicit activity in or by the organization;
- Cooperation with law enforcement authorities;
- Development and implementation of standards and procedures aimed at ensuring good governance in the organization;
- Development of a code of ethics in the organization;
- Prevention of conflicts of interest;
- Prevention of off-the-books accounting practices and forgery of documentation.

These provisions of the law are underpinned by the Anti-Corruption Charter of Russian Business. It was signed by the 4 largest business associations in Russia on 24 September 2012. It is also open to signature by any business or entrepreneur operating in the Russian Federation. This Charter proposes *inter alia* the following anti-corruption principles and mechanisms for business:

- Implementation of internal anti-corruption programs by businesses, which should include codes of ethics, training programmes for staff, conflict of interest prevention. Such programs are to be based on internal anti-corruption risk assessments, to be undertaken by the company;

- Independent monitoring and evaluation of internal anti-corruption programs;
- Efficient internal financial control to prevent off-the-books and unofficial accounting practices, monitoring proper record-keeping, etc.;
- Publicity of anti-corruption measures;
- Whistle-blowing mechanisms;
- Refusal to accept a commercial advantage through illicit means;
- Anti-corruption safeguards in dealing with business partners and third persons;
- Transparency of procurement procedures;
- Cooperation with government authorities;
- Prevention of bribery of foreign public officials.

The legislative framework for the functioning of the Ombudsman institution is currently being developed. The Law on the Protection of the Rights of Entrepreneurs No. 78-FZ dated 7 May 2013 has been adopted. The Law (developed by the Government of the Russian Federation) sets the following functions for the Ombudsman:

- To protect of rights and lawful interests of entrepreneurs;
- To supervise the observance of the rights and lawful interests of entrepreneurs by government and local authorities;
- To facilitate the development of civil institutions, working toward the protection of the rights of entrepreneurs;
- To participate in the elaboration and implementation of government policies in the development of entrepreneurship and protection of the rights of entrepreneurs.

1.4 International engagements

The **Council of Europe**, over the past 8 years, has carried out in co-operation with the Russian Federation four relevant projects with funding from the European Union: “Harmonisation of Russian anti-Corruption Legislation with International Standards” Rucola 1 (2005); “Russian Federation – Development of legislative and other measures for the prevention of corruption” Rucola 2 (2007); the “Project on Improving legislation and practices on dealing with money laundering and financing of terrorism in the Russian Federation” MOLI-Russia I (2005–2006); and the “Project against Money Laundering and Terrorist Financing in the Russian Federation MOLI-Russia II (2007-2010)”. The overall objective of these projects was to facilitate the adoption and efficient implementation of the Council of Europe Criminal Law Convention on Corruption (CETS No 173) and of the United Nations Convention against Corruption (UNCAC), as well as international anti-money laundering standards.

As far as the **relevant international standards and international treaty law** are concerned, Russia has ratified the CETS No 173 in October 2006. For the Russian Federation the Convention entered into force in February 2007. The Additional Protocol to the Criminal Law Convention on Corruption (CETS No 191) was signed by the Russian Federation in May 2009. UNCAC was ratified by Russia in May 2006.

In February 2007, Russia joined the Council of Europe’s Group of States against Corruption (GRECO) and subsequently, in April 2007, took part in the Joint 1st and 2nd round of evaluations. The Evaluation Report was published in December 2008. Two years later, in December 2010 GRECO issued the Compliance Report concerning the recommendations made in the Evaluation Report. Addenda to the 1st and 2nd Round Compliance Report for the Russian Federation were examined and adopted by GRECO in December 2012.

In 2011 Russia participated in a GRECO evaluation under the 3rd evaluation round, which focused on two topics, incriminations and transparency of political party financing. The Report was adopted in March 2012.

In May 2011, the Organisation for Economic Co-operation and Development (OECD) invited the Russian Federation to join the OECD’s Working Group on Bribery and to accede to the OECD’s Convention on Combating Bribery of Foreign Public Officials. The Russian Federation joined the Convention in January 2012.

In recent years the Russian Federation has benefited from several projects implemented by the Center for International Private Enterprise (CIPE), which were aimed at strengthening the engagement and role of private sector associations in developing good governance and anti-corruption policies and mechanisms to improve

business and investment climate. These Projects have been implemented mostly in partnership with the Russian Chamber of Commerce and Industry, as well as regional Chambers and business associations.

1.5 Federal Ombudsman for the Rights of Entrepreneurs

The Business Ombudsman was officially nominated by Presidential Decree on 22 June 2012. The position has been initially set up in the President's Administration and the respective amendments to its register of official posts had been made. However the Law on the Protection of the Rights of Entrepreneurs No. 78-FZ dated 7 May 2013 envisages that the Business Ombudsman will be established as a separate Government office (starting from 1 January 2014). The permanent staff (30 persons) of the Ombudsman is located in the Civil Chamber of the Russian Federation.

The Federal Ombudsman is supported in his activities by an Experts' Council which includes representatives of business, research community and the legal profession. The Experts' Council elaborates systemic legislative and institutional policy proposals related to the protection of rights of entrepreneurs in the Russian Federation.

1.6 Regional Ombudsmen for the Protection of Rights of Entrepreneurs

The federal level initiative has been preceded by the establishment of regional Ombudsmen in several subjects of the Russian Federation (e.g. Ulyanovsk region in 2011) and is currently being replicated in most regions of the Russian Federation. Already, almost 50 such positions have been created across Russia. Some of them are based on the adoption of respective regional laws, and some are functioning without a regulatory framework on a *pro bono* basis. In accordance with the abovementioned draft law on the Business Ombudsman, the regional Ombudsmen may be established through the adoption of special regional laws and will be nominated by the Head of the Region in consultation with the Business Ombudsman under the President of the Russian Federation.

1.7 Interagency cooperation

The Federal Ombudsman is actively working with a wide range of ministries and agencies, and has signed a number of bilateral agreements with them in order to institutionalize the mechanisms for cooperation. Such bilateral agreements have already been signed with the General Prosecutor's Office, the Ministry of Interior, the Federal Bailiff Service. The General Prosecutor's Office has also established an interagency working group on the protection of the rights of entrepreneurs, which includes the Business Ombudsman, representatives of the Ministry of Economic Development, the Chamber of Commerce and Industry, and leading business associations.

A bilateral agreement has also been signed between the Ombudsman and the Deputy Speaker of the State Duma *Vladimir Vasiliev*, who leads the "Civil control" project in the Duma to monitor and check mass-media publications which include allegations of corruption.

1.8 Public Ombudsmen

The Business Ombudsman is supported in his activities by Public Ombudsmen, responsible for various economic sectors and administrative procedures (e.g. customs, land registration, construction, state contracts, and protection of investments abroad). The public ombudsmen also deal with appeals from entrepreneurs in these areas.

1.9 Private sector initiatives

A range of non-government initiatives have been established by the business community to protect the rights of entrepreneurs from abuse by officials. Currently these also assist the Business Ombudsman in his functions. For example, the Centre for Civil Procedures "Business against Corruption" is an entity that processes and evaluates a large amount of appeals from entrepreneurs and forwards them to the Ombudsman for further consideration.

1.10 Legal associations

At present, the Ombudsman relies on the support by civil society organizations and pro bono work by lawyers and legal associations for the processing of individual complaints and appeals by entrepreneurs. Individual agreements with law firms and lawyers are then signed in order to formalize and recognize this *pro bono* contribution.

2 Project background

Through the joint project on the “Protection of the Entrepreneurs Rights in the Russian Federation from Corrupt Practices” - **PRECOP RF** - the European Union (EU) and the Council of Europe (CoE) in cooperation with the Business Ombudsman’s Office in the Russian Federation and other stakeholder institutions aims to facilitate and contribute to the implementation of mechanisms to prevent corrupt practices affecting the business sector in the Russian Federation. Specifically, the project will strengthen the capacity of the Business Ombudsman institutions and other authorities involved in protecting the rights of entrepreneurs in the Russian Federation from corrupt practices.

The project proposes to provide technical assistance and cooperation tools in addressing prevention of corruption through the institution of the Business Ombudsman and related initiatives to protect the business community from corrupt practices.

The project will address the following:

1. Provide for institutional and legislative analysis
2. Capacity building/training
3. Outreach and awareness raising

The office of the Business Ombudsman is the main beneficiary and counterpart for the project; as such the office will play an important role in the coordination of the local institutions and in ensuring their full participation and contribution to the successful implementation of the activities foreseen in the project. The project will take into account the needs of the regional business ombudsmen through the organization of activities that specifically target these institutions. The training programmes and handbooks developed under the project will take into account the fact that the regional business ombudsman’s offices are newly established and in many cases their needs for training and expertise will slightly differ from the needs of the Federal Business Ombudsman’s office.

The project also targets business and legal associations which are in many instances supporting the work of the Federal or Regional business ombudsmen by providing pro bono services. In addition to being beneficiaries from the project the representatives of the legal and business associations will also be considered as a resource for drawing expertise. This local knowledge of the circumstances will be especially useful when taking account of the practices relating to providing pro bono services in the Russian Federation as well as for the preparation of the various training materials and technical papers and research.

This inception report summarizes the activities carried out during the inception phase of the project and clearly shows the direct involvement of the stakeholders in the project up to date. The report in its appendices provides an updated work plan and calendar for the implementation of the project and the achievement of its goals. The work-plan and the calendar are prepared in such a way as to provide sufficient space for incorporation of any proposed changes in the order of activities by the Steering Committee of the project.

3 Project summary

The overall objective of the project is to facilitate the prevention of corrupt practices affecting the business sector in the Russian Federation. This will be achieved through a combination of actions which are described in more details below:

Project title and number	2312/Protection of the Rights of Entrepreneurs in the Russian Federation from Corrupt Practices (PRECOP RF)
Project area	Russian Federation
Budget	1,300.000.Euro (EU Funding 86.81%; CoE Funding of 13.19%)
Funding	European Union / Council of Europe
Implementation	Council of Europe
Duration	36 Months (starting date - 1 January 2013)

The expected results of the project are:

Project purpose	Strengthened mechanisms to protect the rights of entrepreneurs from corrupt practices
Expected Result 1	Institutions of regional and public Ombudsmen are informed about international standards and practices of comparable institutions (including in the context of competencies of the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation)
Expected Result 2	Overview of good practices in Council of Europe (CoE) member-states and proposals for protecting whistle-blowers in the area of corruption are available
Expected Result 3	Proposals are available to strengthen measures to prevent the misuse of public authorities in corporate conflicts, eliminating competition and forced takeovers
Expected Result 4	Practice of pro bono legal assistance in the protection of the rights of entrepreneurs is expanded
Expected Result 5	Proposals are available on resolving systemic problems of entrepreneurship for the Experts' Council under the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation
Expected Result 6	Awareness of the business community is raised with regard to the risks of infringement of entrepreneurial rights and possible methods for their protection
Expected Result 7	European Court of Human Rights (ECtHR) case law relevant to entrepreneurs rights and related corrupt practices is made available and disseminated
Contracting Authority	Delegation of the European Union to the Russian Federation
Implementation	Economic Crime Cooperation Unit, Department of Action against Crime, DG I-Human Right and Rule of Law, Council of Europe

3.1 Target Group[s]

Given the overall objective of this project, the primary target group will be the business community in the Russian Federation, as well as the society as a whole by way that it benefits from the successful outcome of this action. In addition to the above the project will also focus in reaching to the representatives of the legal profession as a target group, especially during the implementation of the Expected Result (ER) 4 of the project.

3.2 Project's Deliverables

Under Expected Result 1 the deliverables will include:

- A comparative study on the powers and competencies of a business ombudsman institution. The study which will be prepared by international and local experts will be presented and discussed at an expert workshop;
- Training programmes and handbook for regional ombudsmen on the procedures, legal concepts, typologies drawn from experience at the federal level and international practices;
- Awareness raising (high-level) and training (expert-level) events for staff of regional ombudsmen based on the training programmes and handbooks.
- A study visit of Regional Business Ombudsmen to analogue institutions in CoE member states

Under Expected Result 2 the deliverables will include:

- A comparative study on the regulatory framework concerning whistle-blowers;
- Concrete recommendations on the regulatory framework concerning whistle-blowers with input from an expert workshop.

Under Expected Result 3 the deliverables will include:

- A comparative study on the misuse of public authorities in corporate conflicts, eliminating competition, and forced takeovers;
- Concrete recommendations developed with input from an expert workshop.
- Publication incorporating the results of the comparative study and the recommendations resulting from the technical paper and the discussions in the expert workshop.

Under Expected Result 4 the deliverables will include:

- A comparative study on the provision of pro bono legal services;
- Concrete recommendations with input from two workshops with participation of local and international experts in the field of pro-bono services;
- Awareness raising events for the legal profession on *pro bono* legal services.

Under Expected Result 5 the deliverables will include:

- Up to 10 studies providing assessments and proposals on different areas under consideration by the Experts' Council with need for enhanced protection mechanisms for entrepreneurs.

Under Expected Result 6 the deliverables will include:

- Available reference source on good governance and compliance principles in business;
- Awareness raising events on good governance and compliance principles for entrepreneurs.

Under Expected Result 7 the deliverables will include:

- A comparative analysis on ECtHR-case law in the form of a practitioner's manual/reference source;
- Awareness raising events with business community, federal/regional ombudsman staff and legal professionals.
- A study visit to the ECtHR for up to 12 representatives from the Federal Business Ombudsman's office and the regional Business Ombudsman's offices.

4 Inception Activities

4.1 Summary of actions

The following activities were carried out during the inception phase of the project in the period from January 2013 to September 2013.

Description of Inception Phase Activities	Status as of 30/09/2013
Recruitment of the Project Team: <ul style="list-style-type: none"> ▪ Senior Project Officer (Strasbourg–100% time): Recruited and Operational; ▪ Local Project Officer (Moscow– 100% time): Recruited and Operational ▪ Project Assistant (Moscow – 100 % time): Recruited and Operational. 	Completed
Allocation and Set up of the Project Office	Completed
Start-up activities and Introduction of the project to counterpart/beneficiary institutions	Completed
Preparation of the ToR for the Steering Committee and nomination of Steering Committee members	Completed
Preparation of 1st Steering Committee Meeting (14 October 2013)	Completed
Preparation of Launching Event	Completed
Drafting and submission of Inception Report	Completed

4.2 Set-up of the Project Team/Recruitment

Each of the positions of the Project Team in Strasbourg and Moscow has been filled through a transparent recruitment procedure in line with the rules of the Human Resource policies of the Council of Europe.

All applicants and then candidates were shortlisted and selected based on their qualifications, work experience and skills, as well as their performance during the interviews. In addition, reference checks of performance in previous employments were done to ensure the veracity of the information provided in the applications. Earlier recruited staff members had the chance also to participate in an induction and training course organised by the Unit in April 2013. Other new staff will undergo the same training within the next two months.

4.3 Project Office/Premises

The project offices are situated within the premises made available at the Council of Europe Office in Moscow which also provides the technical and IT infrastructure necessary for the team. The Project Office address and relevant data are:

Project: PRECOP RF
Contact Point: Zoya Kokorina, Senior Project Officer;
Council of Europe Programme
Office in Moscow
9, Leontievsky Pereulok, Moscow,
125009, Russian Federation
tel: +7495 7753752
e-mail: zoya.kokorina@coe.int

4.4 Start-up activities

4.4.1 Start-up activities - Phase I (March 2013)

A Council of Europe team consisting of Mr Ivan Koedjikov, Head of the Action against Crime Department and Igor Nebyvaev, Administrator in the Economic Crime and Cooperation Unit met with representatives³ of the beneficiary institutions of the PRECOP RF. The goal of the mission was to discuss with the beneficiaries and stakeholders the objectives and the purpose of the project, so as to reach an agreement on the final version of the Description of Action (DoA) and the Log-frame. The discussions took into account the feedback on the DoA and the Log-frame provided from the Business Ombudsman's Office and other Ministries and Agencies in the Russian Federation which are targeted by the project.

A separate meeting was held with the Ministry of Foreign Affairs of the Russian Federation, which confirmed full support to the PRECOP RF Project.

Following the meetings the CoE and beneficiaries undertook further work to finalize the draft DoA, which was introduced in May 2013 for adoption by the Presidential Commission on the for Coordination of Work of the Federal Executive Authorities in Fulfilling Russian Federation's International Agreements on Fighting Corruption

4.4.2 Start-up activities - Phase II (24-25 September 2013)

Following the decision of the Commission for Coordination of Work of the Federal Executive Authorities in Fulfilling Russian Federation's International Agreements on Fighting Corruption to support the implementation of the PRECOP RF project and the adoption of the final version of the DoA and Log-frame, a series of meetings were organized with stakeholders to further discuss the implementation of the project.

A team consisting of Igor Nebyvaev Administrator in the Economic Crime Unit and Mustafa Ferati, Project Manager for the PRECOP RF project, Zoya Kokorina, Local Senior Project Officer and Olga Korneeva, Project Assistant, met⁴ with stakeholders and beneficiaries of the project to discuss in detail the project and its goals, project's duration, its cycles, objective, purpose, expected results and its components.

The meetings during the two day mission were divided into three groups:

- Meeting with representatives of the Business Ombudsman's Office;
- Meeting with business and legal associations; and
- Meeting with the European Union Delegations in Moscow.

³ List of participants in the meetings attached in appendix 2

⁴ List of participants in the meetings attached in appendix 2

The meetings with the representatives of the Business Ombudsman's Office and the EU Delegation in Moscow among others dealt with consultations on the composition of the future Steering Committee as well as the detailed agendas for the first Steering Committee meeting and the Launching event of the project which are scheduled to take place on 14 and 15 October 2013.

The meeting with the business and legal associations dealt with presenting a summary of the project and its goals with a greater focus on the project results pertaining to the work of these organizations. The business and legal associations raised a number of issues of concern in the Russian Federation among which:

- A high priority for the Russian business community is the implementation of the Anti-Corruption Charter (analysis of international mechanisms). There is a shortage of specific methodological guidelines on the implementation of the Charter, which would include international experience and provide for a detailed procedure of the implementation of the Charter by businesses. There should be outreach to the medium and small business community, who unlike the big business, have very little awareness of the principles contained in the Charter;
- Provide information and ensure methodological work with business associations (handbooks, recommendations, analysis); and
- Typical Corrupt practices (analysis of complex cases, risks, recommendations for the Ombudsman Office and Regional ombudsmen). The typological work should be geared towards specific case studies to make the end product more practical and user friendly.

4.4.3 1st Steering Committee

The 1st Steering Committee (SC) meeting of the project took place on 14 October 2013. The SC was co-chaired by Mr Boris Titov – Federal Ombudsman for the Protection of Entrepreneurs Rights in the Russian Federation and Mr Michael Web – Deputy Head of the EU Delegation to the Russian Federation. The following institutions as SC members were represented by their nominees:

- Executive Office of the President of the Russian Federation
- State Economic Regulation Department, Ministry of Economic Development of Russia
- Ministry of Economic Development of Russia
- Centre for Public Procedures "Business Against Corruption
- Federal Antimonopoly Service of Russia
- Ministry of Foreign Affairs of Russia

The Federal Ombudsman for the Protection of Entrepreneurs Rights in the Russian Federation, Mr Titov in its opening address recognized that corruption is an issue that is present in the Russian society; where in response to this issue the Russian government has made the fight against corruption one of its priorities.

The Federal Ombudsman for Protection of Entrepreneurs from Corrupt practices has recently become one of those institutions that are addressing the combat against corruption through its own procedures and relations with the business community. Even at its early stage as a new institution, it has received around 4000 complaints that have been filed by the business community.

Mr Titov announced that in June 2014 his office will organize a "Young Entrepreneurs Season" which will focus on supporting the young entrepreneurs establish their businesses and ensure that they are aware of all the potential obstacles they may face while doing business. The event will provide information to young entrepreneurs on how to behave when they face corruption practices, how to report these practices, what are the steps that can be taken to protect their business against these practices etc. This event is expected to greatly benefit from the support of the PRECOP project through its awareness-raising component.

Mr Michael Web – Deputy Head of the European Union Delegation to the Russian Federation, recognised all partners for their readiness to cooperate on such an important project. The European Union and the Council of Europe with cooperation of the Federal Ombudsman Office and various stakeholders aim to facilitate and contribute to the implementation of mechanisms to prevent corrupt practices affecting the business sector in the Russian Federation. Furthermore, the address focused on the issue of the timing of this project with the globalisation as a strong tendency, in all aspects of life, and the importance of ensuring that business, trade and investment also contribute to social and economic development. Mr Web welcomed the promotion of project through the CoE website (English and Russian) which is exclusively dedicated to the PRECOP Project and

suggested that the other partners may wish to follow this example and ensure great visibility for this important project.

Mr Ivan Koedjikov, Head of the Action against Crime Department at the Council of Europe, in his remarks to the SC members stressed that the Council of Europe, where the Russian Federation is a member of, gives a great importance to initiatives such as those of combating corruption. This project is one among many projects in CoE member states that focuses on the capacity building and taking actions against corruption.

As this was the 1st Steering Committee of the project, a number of items and issues were discussed and agreed upon. Among these:

- Adopted the Terms of Reference for the Steering Committee and Ad hoc meeting criteria.
- Reviewed the Inception Report; The report will be updated with information on the 1st Steering Committee Meeting and the Launching event, translated into Russian and will be send to all SC members for approval.
- The Steering Committee reviewed and adopted of the workplan⁵ and calendar of activities of the project.

The next Steering Committee meeting is scheduled to take place in April 2014.

4.4.4 Launching of the Project

The launching event of the project on “Protection of the Rights of Entrepreneurs in the Russian Federation from Corrupt Practices” PRECOP RF took place on 15 October 2013 at the premises of the Federal Ombudsman for the Protection of Entrepreneurs Rights in Moscow.

The Launching event was opened by Mr Boris Titov Federal Ombudsman for the Protection of Entrepreneurs' Rights in the Russian Federation. Mr Vygaudas Usackas, Ambassador, Head of the EU Delegation to Russia and Mr Ivan Koedjikov Head of the Action against Crime Department, Council of Europe. Over 100 participants representing the Federal and Regional Ombudsmen for the Protection of Entrepreneurs Rights, business associations, legal associations, European Union Delegation to Russia, Diplomatic Missions of EU member states and the Council of Europe Secretariat and experts attended the event.

The event provided a venue for discussion of the Council of Europe instruments against corruption and the activities foreseen under the project with the various target groups. Taking into consideration the broad representation of Regional Business Ombudsmen, a session dedicated to identifying the needs for training of Regional Ombudsmen and their staff was held as part of the event. The discussion in this session and the interaction between the participants and the expert gave the right impulse to the project from its start. The project will continue to involve the representatives of the regional ombudsmen in the majority of its activities. The High level representation of all three major partners in the project as well as the broad participation of beneficiary and target institutions in the launching event including highly respected representatives of business and legal associations will contribute to the long term commitment by all stakeholders.

Information on the launching event was publicised on the website⁶ of the Federal Ombudsman's Office, the EU Delegation website⁷ and the Council of Europe project website⁸.

4.4.4.1 Opening Session

Mr Boris Titov – Federal Ombudsman for the Protection of Entrepreneurs Rights in his opening remarks recognized that corruption is an issue that is present in the Russian society, where despite the fact that the Russian government has made the fight against corruption one of its priorities; the perception of corruption in the country is such that puts it far from being in the top 100 countries with a low index of corruption. The PRECOP RF project is very important as a partnership in which the cooperation of the three main partners will provide for sharing of knowledge, training and expertise in combating corruption.

⁵ See appendix 4 for the adopted workplan

⁶ <http://www.ombudsmanbiz.ru/main.php?mid=12&doc=1456>

⁷ http://eeas.europa.eu/delegations/russia/press_corner/all_news/news/2013/20131014_en.htm

⁸ <http://www.coe.int/precop>

Mr Vygaudas Usackas, Ambassador, Head of the EU Delegation to the Russian Federation, in his remarks emphasised the importance of cooperation in the efforts against corruption. Mr Usackas noted that while the direct link between corruption and GDP growth is difficult to assess, corruption has in fact significant negative effects on investment (including FDI), competition, entrepreneurship, government efficiency, and human capital formation. Furthermore, corruption affects other important indicators of economic development such as the quality of the environment, personal health and safety status, equity (income distribution), and various types of social or civic capital ("trust") - which in turn entail substantial constraints on economic growth.

Mr Ivan Koedjikov – Head of the Action against Crime Department, Council of Europe, recognised the European Union and the Russian partners for their contribution to the project. In his addressing Mr Koedjikov provided a brief comparison of the European Union and the Council of Europe. He noted the fact that Russia is member of the Council of Europe but not member of the European Union. All the knowledge, experience and achievements of the Council of Europe, all the contributions that the CoE will make as implementer of the project was created and is created with the full participation of Russia. Mr Koedjikov reiterated that the partners from the Russian Federation will play an important role in the implementation of the project including a key role in the Steering Committee of this project which is co-chaired by our Russian partners.

The opening session of the event continued with discussions by:

- Reiner Hartmann, Chairman of the Executive Board of the Association of European Businesses in the Russian Federation, presented on the current business climate in the Russian Federation. He maintains that the PRECOP RF project is seen by the business community as a step in the right direction as it is targeting institutions of importance to business;
- Henri Reznik, Lawyer - Chairman of the Presidium of Moscow City Bar Association, spoke about corruption and its perception in the past and now. He maintains that it is very important that authorities take action to remove corrupt officials from places of power to ensure that corruption is eliminated;
- Dina Krylova, National Coordinator for PRECOP RF, nominated by the Russian authorities, spoke of the importance of taking action against corruption and the role of the Business Ombudsman institution in relation to this. Furthermore Ms Krylova presented on the structure of the Office of the Federal Ombudsman for the Protection of Entrepreneurs Rights and the role of the institution in the protection of the entrepreneurs from corrupt practices; and
- Mustafa Ferati, Project Manager, PRECOP RF, Economic Crime Cooperation Unit, Council of Europe, presented the proposed project's workplan, more specifically project's aims and objectives, including the detailed description of the type of activities foreseen within each of the seven expected results of the project.

4.4.4.2 Presentation of Council of Europe Instruments against corruption

The 2nd part of the launching event was split into two sessions; the first session was dedicated to the review of the Council of Europe instruments against corruption. In this session Mr Ivan Koedjikov – Head of the Action against Crime Department presented on the Council of Europe instruments against corruption and their link to other international instruments in this field.

Among others his presentation focused on the following:

- Inter-American Convention against Corruption;
- Convention on the fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union;
- Convention of Combating Bribery of Foreign Public Officials in International Business Transactions;
- Criminal Law Convention of Corruption;
- Civil Law Convention on Corruption;
- African Union Convention on Preventing and Combating Corruption; and
- United Nations Convention against Corruption;

The presentation continued by providing an explanation on the Council of Europe approach to prevention and fighting of corruption which consists of three main pillars:

- Creation of standards;
- Provision of technical assistance and cooperation; and
- Monitoring.

In the part of standards in addition to the treaty law the CoE also uses CoE Recommendations which are so called soft law instruments. There are a few of these Recommendations that pertain to anti-corruption efforts:

- 20 Guiding Principles on the fight against corruption (1997);
- Rec (2003)4 on the financing of political parties and electoral campaigns; and
- Rec (2000)10 on the model code of conduct for public officials.

4.4.4.3 Identification of Training needs for Regional Ombudsman⁹

The second session was dedicated to the identification of training needs for the regional ombudsman; this session was moderated by Mr Anton Pominov, who contributed to this event in the capacity of Council of Europe expert. The outcomes of the discussion and the feedback from the regional ombudsmen in this session will be incorporated in the training programme for regional ombudsmen that will be developed under the PRECOP RF project.

The discussions in this session resulted with the identification of the following needs:

- The regional Ombudsmen need systemic training on anti-corruption related issues, those include:
 - Personal capacity building for regional ombudsman and personnel in their offices. Depending on their background the knowledge and expertise in anti-corruption issues of the Regional Business Ombudsman varies to a great extent.
- Training of trainer's programme - to enable the regional ombudsmen to train other stakeholders within the region.
 - Oftentimes, public officials, businesses, media and other possible parties involved in anti-corruption issues are unaware of key concepts and legal terms, such as 'corruption', 'conflict of interests', 'access to information' and so on. This lack of common knowledge is considered to be one of the main causes of the gap between legal framework and enforcement of legislation.
- Share of information through Case Study modalities which would provide typologies of corruption problems faced by businesses.

In view of the above, the Regional Business Ombudsmen present at the event emphasised also that they regard the following areas as most important and challenging tasks for their offices and those include:

- Interaction with public agencies;
- PR strategies and media planning;
- Regional risks assessment; and
- Self-protection against physical, material and reputational damage of the regional ombudsmen.

⁹ Reported by Anton Pominov, CoE expert.

5 Visibility/Media Coverage

5.1 PRECOP RF Website

Project news, upcoming events, and outputs/deliverables will be reported on the Council of Europe Economic Crime website (www.coe.int/corruption), a section of which (www.coe.int/precop) is exclusively dedicated to the PRECOP RF project.

The website will provide regular information on all project activities and deliverables as well as news relating to the project. This Council of Europe official project site will have links to other relevant sites (national and international).

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Council of Europe

Home The Council in brief Human Rights Democracy Rule of Law Organisation 47 Countries

Council of Europe > Human Rights and Rule of Law > Action against economic crime

Action against economic crime

"Protection of the Rights of Entrepreneurs in the Russian Federation from Corrupt Practices" (PRECOP RF)

BACK

Funded by the European Union and the Council of Europe

Implemented by the Council of Europe

PROJECT DOCUMENTATION & DELIVERIES

- Project Summary
- Description of Action (DoA)
- Technical Papers

WORKPLAN/SCHEDULE

- Workplan

REPORT / REFERENCES

- Inception Report

CONTACTS

- PRECOP-Project

The Russian authorities have expressed concern that corruption and bureaucratic pressure on business is one of the main causes which hinders national economic growth and development in the country. It has also been recognized that raiding practices are carried out with the participation of bureaucratic structures or individual officials interested in gaining control of a business. Through the joint project on the "Protection of the Entrepreneurs Rights in the Russian Federation from Corrupt Practices" - PRECOP RF - the European Union (EU) and the Council of Europe (CoE) in cooperation with the Business Ombudsman's Office in the Russian Federation and other stakeholder institutions aims to facilitate and contribute to the implementation of mechanisms to prevent corrupt practices affecting the business sector in the Russian Federation. Specifically, the project will strengthen the capacity of the Business Ombudsman institutions and other authorities involved in protecting the rights of entrepreneurs in the Russian Federation from corrupt practices.

The project on "Protection of the Rights of Entrepreneurs in the Russian Federation from Corrupt Practices" is a joint action of the European Union and the Council of Europe. The project is implemented by the Council of Europe and has a foreseen length of 36 months starting from January 2013. The total amount of the budget is 1.3 million EUR jointly contributed by the EU Delegation in Moscow and the Council of Europe.

Following are the expected results:

- 1) Institutions of regional and public Ombudsmen are informed about the role, objectives and competencies of the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation and international standards and practices of comparable institutions
- 2) Overview of good practices in CoE member-states and proposals for protecting whistle-blowers in the area of corruption are available
- 3) Proposals are available to strengthen measures to prevent the misuse of public authorities corporate in conflicts, eliminating competition and forced takeovers
- 4) Practice of pro bono legal assistance in the protection of the rights of entrepreneurs is expanded
- 5) Proposals are available on resolving systemic problems of entrepreneurship for the Experts' Council under the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation
- 6) Awareness of the business community is raised with regard to the risks of infringement of entrepreneurial rights and possible methods for their protection
- 7) ECtHR-case law relevant to entrepreneurs rights and related corrupt practices is made available and disseminated

5.2 The EU's visibility

The project will ensure the visibility of the EU's contribution at all stages of its activities. The Council of Europe will take all appropriate measures to publicise the fact that the project funding is being received from a European Union and Council of Europe agreement. All reporting and information used and disseminated will acknowledge that actions have been carried out "with funding from the European Union" by also displaying in an appropriate way the European Union logo.

5.3 Disclaimer

All publications will include the following disclaimer: "This document (*report/publication etc.*) has been produced with the main funding from the European Union and the Council of Europe. The content of this document can in no way be taken to reflect the views of the European Union or of the Council of Europe".

5.4 Publications

During the project, training modules, handbooks and various technical papers will be produced; copies of such will be available for wide distribution and for reporting purposes. All electronic version and hard copy publications that will be prepared and delivered under the project will acknowledge the financial contribution of the EU, and will contain the above-mentioned disclaimer. They will also be made available for the public unless they are classified otherwise.

6 Budget and Contributions

The total cost of the project for the period of 36 months is 1,300,000.00 Euros. The financial contributions are as follows:

EUR 1,128,475.00 (86.81%) Financial Contribution from EU delegation in Moscow;

and

EUR 171,525.00 (13.19%) Financial Contribution by the Council of Europe.

Following the signature of the contract (December 2012), and upon the submission of the 1st Request for Payment (dated 19 December 2012), the Council of Europe received the initial amount of 406,657.11 Euro as first instalment in line with the Article 4(2) of the Special Conditions.

7 Evaluation and Result Oriented Monitoring

P4M Evaluation: In the early phase of implementation the PRECOP RF has already been part of an evaluation exercise carried out under the framework of the P4M agreement: "Partnership for Modernization". This exercise focused on the evaluation of the project in terms of its relevance and connections with the Partnership for Modernisation programme of the EU. The EUD contracted evaluator also inquired about the cooperation with the beneficiary institutions in the Russian Federation, their contribution to the design of the project and the ownership of the local beneficiaries over the project. According to the EUD contracted evaluator PRECOP RF is one of the few if not the only project in which there is additional funds to those from the European Union contributed by the Ordinary Budget of the Council of Europe under the Joint Programme funding framework for the Russian Federation.

ROM Monitoring: A Result Oriented Monitoring (ROM) of the project is foreseen for late November 2013, the project management team has already supplied all the project documentation to the ROM monitor.

8 Next Steps and Conclusions

8.1 Next Steps

The draft **workplan of activities** was reviewed and adopted at the 1st Steering Committee meeting which took place on 14 October 2013 in Moscow, Russian Federation. Following the review and adoption by the Steering Committee the work-plan with the detailed calendar of activities was presented to the participants in the Launching event of the project. This report was updated with information on the 1st Steering Committee Meeting and the Launching event and translated into Russian and is being sent to all SC members for approval.

8.2 Upcoming activities

8.2.1 Field staff training and participation in the meeting of the Economic Crime Cooperation Unit

The PRECOP RF staff based in the Council of Europe Programme Office in Moscow will attend the regular staff meeting (induction training course provided by the Economic Crime and Cooperation Unit for new staff members) which is scheduled to take place 26-27 November 2013. This meeting will provide an opportunity to the PRECOP RF field staff to meet with other colleagues who work in projects in other CoE member states and to discuss and share experiences on the implementation of the various projects from technical and administrative point of view.

8.2.2 Study visit to the CoE by the personnel of the Federal Business Ombudsman Office

Upon the request of the Office of the Federal Business Ombudsman, the PRECOP RF project has committed to *facilitate* a study visit of the personnel of the Federal Business Ombudsman to the Council of Europe in Strasbourg on 6 December 2013. Such visit is not part of the Project's activities, and is funded by the own resources of the Office of Federal Business Ombudsman. Approximately 20 representatives of the Federal Business Ombudsman's office will participate in this study visit which will focus on the following:

- Introduction of the CoE action plan for the Russian Federation;
- CoE methodologies for evaluation of member states efforts against corruption (GRECO);
- Presentation of the ECtHR case law against corruption and protection of whistle-blowers;
- Council of Europe modus operandi in the implementation of projects in CoE member states and overview of the activities of the Economic Crime Cooperation Unit; and
- Presentation by the Venice Commission on Ombudsman Institutions in the CoE member states.

8.3 Longer-term Project Impact

The project is designed in such way so as to ensure that the beneficiary institutions have greater ownership over its results and deliverables. Taking into account the great interest shown by the beneficiary institutions during the inception phase and provided that there is a continued interest from the authorities to take actions against corrupt practices that harm the entrepreneurs and the business sector it can be expected that the project will have a long term impact and show sustainability and continuity in several directions:

- The office of the Business Ombudsman continues to increasingly play an important role in the protection of entrepreneurs from corrupt practices.
- Business Ombudsman's office continues to organize training for regional ombudsmen based on the training programmes and handbooks developed under the project.
- Continued cooperation of the Business Associations with the Business Ombudsman's office in terms of taking joint action to initiate further improvements in the legislative framework for the protection of entrepreneurs from corrupt practices
- Legal associations continue to provide pro-bono services to entrepreneurs and the business ombudsman's office.

8.4 Steering Committee

The Steering Committee of this project consists of representatives of Delegation of the European Union to Russia, Council of Europe and the Office of the Ombudsman for the Protection of the Rights of Entrepreneurs under the President of the Russian Federation.

The final list¹⁰ of government agencies and organizations which are included the Steering Committee was supplemented by the Russian side and approved at the end of the Inception Phase. Other relevant authorities related to project results and activities will also be invited to the Steering Committee meetings.

The Steering Committee will take strategic decisions and supervise the proper implementation of the Project. It will address any major issues that the project may face. The Steering Committee will be called to meet just before the launching event (start-up event) then on a regular 6-months basis and *ad hoc* (whenever such need arises). The responsibilities of the Steering Committee are the following:

- Monitoring the implementation of the project and discussing its achievements;
- Approving work plans and progress reports, including the inception report and the final report;
- Assessing emerging issues for sound project implementation and approving the resulting guidelines for the Project Management;
- Approving the necessary departures from the original TOR or Workplan

The Steering Committee will be co-chaired by Mr Boris Titov – Federal Ombudsman for the Protection of Entrepreneurs Rights and Mr Michael Web – Deputy Head of Office, European Union Delegation to Russia. Ms Dina Krilova is nominated as Project Coordinator designated by the Federal Ombudsman for the Protection of Entrepreneurs Rights in order to facilitate the co-operation between the beneficiaries and the Project team in Moscow and in Strasbourg for all project activities.

8.5 Conclusions

The inception phase of the PRECOP RF lasted for nine months (as indicated in the project's DoA), during this phase a series of consultation meetings with beneficiaries and stakeholders took place. The lengthy inception period provided enough time for these extensive consultations and adoption of the DoA and its logframe.

Taking into consideration the above it may be concluded that the inception phase of the project was productive and has created a solid basis to start the implementation of the project:

- The project management team is in place and has already established strong links with the office of Business Ombudsman
- The office of the Business Ombudsman and the other beneficiary institutions expressed strong commitment to the project.
- A detailed workplan¹¹ and calendar of activities was prepared in very close consultation with the main beneficiaries and was presented and adopted in the first steering committee meeting.
- Implementation of specific project activities is expected to initiate now without any delay. The initial activities will focus on starting up a number of studies and researches, the outcomes of which will have direct impact on the substance of a number of workshops and seminars which are scheduled to start as of December 2013.

The project is considered to be challenging and ambitious while at the same time it has received a strong support from stakeholders including the Business Ombudsman's office and the European Delegation in Moscow.

¹⁰ TOR's for the Steering Committee and its composition are attached in Appendix 3

¹¹ Detailed work-plan is attached in Appendix 1

9 Appendixes

9.1 Appendix 1: Workplan and indicative calendar

9.1.1 Workplan

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
All ER	Inception phase			January 2013 - September 2013	Completed
	Steering Committee Meetings	The Steering Committee will meet semi-annually. The first meeting is planned to take place on 14 October 2013. Following meetings are planned for: April 2014; October 2014; April 2015; October 2015	Members of the Steering Committee	Recurrent Semi-annual event	
ER 1	Institutions of regional and public Ombudsmen are informed about international standards and practices of comparable institutions (including in the context of competencies of the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation)				
Act 1.1	Comparative analysis of international and Russian	Prepare a comparative analysis of international and Russian experience in terms of powers, competencies and practices of	2 experts (one international and one local expert)	October 2013 - November 2013	

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
	experience in terms of powers, competencies and practices of a business ombudsman institution	a business ombudsman institution. Details <ul style="list-style-type: none"> ❖ The study will be prepared jointly by international and local experts. In addition to the comparison the experts will present initial recommendations for reform. (2 experts up to 10 working days each) 			
		Organize a workshop to discuss findings and recommendations of the analysis prepared under Activity 1.1 Details: <ul style="list-style-type: none"> ❖ Following the submission of final draft by experts (see above), this workshop will provide an opportunity for the representatives of the Federal Business Ombudsman’s Office as well as the representatives of the regional offices to discuss the outcomes and the recommendations for reform/changes made in the study. 	20 participants (10 participants from Regional Offices)	17 December 2013	
Act 1.2	Awareness-raising and training activities for regional and public Ombudsmen on international standards and practices of	Develop a training programme and handbook for regional ombudsmen and their staff (typologies to be drawn from Act 3.1) Details: <ul style="list-style-type: none"> ❖ A training programme and a handbook for regional ombudsmen will be developed by local experts (2 experts (international and local) up to 15 working days each for the training module and 3 days each for the handbook). ❖ The aim of the programme and handbook is to serve as training material and as awareness raising tool. The training program will be adapted to the needs of the participants in the training. 	2 experts (one international and one local)	March 2014 - May 2014	

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
	comparable institutions (including in the context of competencies of the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation) and typologies (to be drawn from Activity 3.1)	<p>Organize six regional training events based on the training programme and handbooks developed under Act 1.2</p> <p>Details:</p> <ul style="list-style-type: none"> ❖ Six training events with up to 20 participants. <ul style="list-style-type: none"> ○ One (2-3 days) training event will be organized as pilot event to test the programme (up to 20 participants of which 10 participants from the Regional Ombudsmen offices). Following this first delivery, the experts will update the programme based on the feedback from the participants (last day to be used for provision of feedback and discussion on how to improve the material). ○ Five (2 days) training events based on the updated and final version of the training programme and the handbook. The events are organized in five key Federal Districts, with up to 20 participants for each event (16 representatives of regional ombudsmen will travel from nearby regional offices to attend the trainings). 	100- 120 participants.	September 2014 – May 2015	
		Organize a study visit for the Representatives of the Federal and Regional Ombudsmen Offices to analogue institutions in a CoE member state.	12 participants	November 2014	
ER 2	Overview of good practices in CoE member-states and proposals for protecting whistle-blowers in the area of corruption				

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
	are available				
Act 2.1	Comparative analysis of practices in CoE member-states to protect whistle-blowers in the area of corruption	<p>Prepare a comparative analysis of practices in CoE member-states to protect whistle-blowers in the area of corruption</p> <p>Details:</p> <ul style="list-style-type: none"> ❖ The analysis will be prepared by international expert (up to 10 working days) and will cover practices on the protection of whistle-blowers in the area of corruption. 	1 expert (International expert)	November 2013 - January 2014	
Act 2.2	Development of proposals to regulate whistle-blower protection in the Russian Federation	<p>Development of proposals to regulate whistle-blower practices in the Russian Federation</p> <p>Details:</p> <ul style="list-style-type: none"> ❖ Based on the results from comparative analysis prepared under Act 2.1 a technical paper with proposals and recommendations for regulation of the protection of whistle-blowers in the area of corruption will be prepared jointly by an international and local expert (up to 10 working days each). ❖ The technical paper will be discussed at an expert level workshop in which in addition to the two experts who drafted the paper will participate another 20 local and international experts on the subject matter 	2 experts (One international and one local expert)	January 2014 - March 2014	
		<p>Organize an expert level workshop to discuss and finalise proposals to regulate whistle-blower protection in the Russian Federation</p> <p>Details:</p>	20 participants	April 2014 [1 st half of April]	

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
Act 2.2	protection in the Russian Federation	<ul style="list-style-type: none"> ❖ Based on the outcomes of the comparative analysis foreseen in Act 2.1 and the TP with the proposals for regulation of the protection of whistle-blowers in the area of corruption an expert level workshop will be organized to discuss and finalise the two papers. ❖ All experts who were involved in the development of the TPs from Act 2.1 and 2.2 will be present in the workshop. In addition 15-20 local participants will attend. 			
		Finalise and make available of the publication incorporating TP from Activity 2.1 and 2.2	N/A	April 2014 – May 2014	
		<p>Organize public event to present the finalised proposals for regulation of whistle-blower protection in the Russian Federation</p> <p>Details:</p> <ul style="list-style-type: none"> ❖ Following the finalisation of the publication of Technical paper developed under Activity 2.1 and 2.2 a conference for publication of the results with the participation of 40 representatives from all stakeholder institutions will be organized. 	40 participants (20 from regional offices)	October 2014 [Preceded by Steering Committee Meeting]	
ER 3	Proposals are available to strengthen measures to prevent the misuse of public authorities corporate in conflicts, eliminating competition and forced takeovers				

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
Act 3.1	<p>Comparative analysis of integrity and rule of law measures in CoE member-states and other international experience to prevent the misuse of public authorities in:</p> <ul style="list-style-type: none"> • corporate conflicts • eliminating competition • forced takeovers 	<p>Prepare an analysis of integrity and rule of law measures in CoE member-states and other international experience to prevent the misuse of power by public authorities in:</p> <ul style="list-style-type: none"> • corporate conflicts • eliminating competition • forced takeovers <p>Details:</p> <ul style="list-style-type: none"> ❖ The analysis is to be jointly prepared by local and international experts and will include good practices, legislative and institutional frameworks as well as typologies (2 experts up to 10 working days each). The study should cover examples from at least 3 other CoE member states. 	2 experts (one international and one local expert)	November 2013 – February 2014	
Act 3.2	<p>Development of proposals to strengthen integrity and rule of law measures to prevent the abuse of public authorities in:</p> <ul style="list-style-type: none"> • corporate conflicts • eliminating competition • forced takeovers 	<p>Develop technical paper with proposals to strengthen integrity and rule of law measures to prevent the abuse of public authorities in:</p> <ul style="list-style-type: none"> • corporate conflicts • eliminating competition • forced takeovers <p>Details:</p> <ul style="list-style-type: none"> ❖ The proposals are to be prepared jointly by local and international experts in the form of technical paper (2 experts up to 5 working days each). ❖ This technical paper (act 3.2) and the technical paper from act. 3.1 will be discussed at an expert-level workshop ❖ Following the finalisation of the two documents a publication containing the two papers will be 	2 experts (One international and one local expert)	November 2013 – February 2014	

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
Act 3.2	Development of proposals to strengthen integrity and rule of law measures to prevent the abuse of public authorities in: <ul style="list-style-type: none"> • corporate conflicts • eliminating competition • forced takeovers 	prepared and published by the CoE			
		Organize workshop for the finalisation of proposal aimed at strengthening the rule of law measures Details: The workshop will bring together the experts (international and local) who worked on the drafting of the two technical papers and approximately 20-25 representatives of the beneficiary institutions with expertise on the subject. <ul style="list-style-type: none"> ❖ The participants will discuss the findings in the two technical papers (act 3.1 and act. 3.2), and any potential changes or additions to the proposals already prepared. 	Up to 25 participants including the experts who prepared the TPs	11 March 2014	
		Finalise and make available publication incorporating technical papers in Act 3.1 and 3.2 Details: <ul style="list-style-type: none"> ❖ The publication will be finalised in the period between March and May 2014, taking into account any feedback that is provided in the expert-level workshop 	N/A	March – May 2014	
ER 4	Practice of pro bono legal assistance in the protection of the rights of entrepreneurs is expanded				
Act 4.1	Comparative analysis of international and Russian	Prepare a comparative analysis of international and Russian	2 experts (One international and one local expert)	March 2014 – April 2014	

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
	practices and principles for pro bono work, including issues of incentives, as well as professional standards	practices and principles for pro bono work, including issues of incentives, as well as professional standards Details: ❖ The analysis is to be prepared jointly by local and international experts. The document will provide detailed information on the principles of pro-bono work, including issues of incentives and professional standards in at least 5 CoE member states and the Russian Federation (2 experts, up to a total of 10 working days).			
Act 4.2	Proposals for improvement of pro bono services of lawyers and legal associations and professional standards in this area	Workshop (1) to discuss proposals for improvement of pro bono services Details: ❖ Following the preparation of the comparative analysis of international and Russian practices and principles for pro bono work, two workshops will be organized in May 2013 to elaborate proposals for improvement of the pro-bono services.	Up to 20 participants	20 May 2014	Siberia (TBC)
		Workshop (2) to discuss proposals for improvement of pro bono services Details: ❖ Following the preparation of the comparative analysis of international and Russian practices and principles for pro bono work, two workshops will be organized in May 2013 to elaborate proposals for improvement of the pro-bono services.	20 participants	22 May 2014	Moscow
Act 4.3	Conducting seminars and awareness events for legal associations and professionals for purposes of sharing practices	Conduct seminars and awareness raising events for legal associations and professionals for the purpose of sharing practices of pro bono service Details:	20 participants per event; Up to 80 in total	June 2014 – September 2015	

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
	of pro bono service	<ul style="list-style-type: none"> ❖ Organize four seminars and awareness raising events (while taking into account results of act 4.1 and 4.2). Each of these events will target regional ombudsmen and representatives of legal associations who already provide or consider the provision pro bono services in the future. The project will ensure that international experts with experience in the field of providing pro bono services attend and share their experience and best practices. ❖ One seminar will be organized in Moscow (up to 10 participants from nearby regions will be supported by the project), three seminars will be organized in regions in the Russian Federation. For each regional seminar up to 16 participants from nearby regions will be supported by the project to attend the event). 			
		Study visit on pro bono work for representatives of legal associations	12 participants	September 2014	
ER 5	Proposals are available on resolving systemic problems of entrepreneurship for the Experts' Council under the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation				

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
Act 5.1	Preparation of research studies / recommendations on 5-10 issues relevant for the protection of rights of entrepreneurs from corruption identified in coordination with the Experts' Council	Preparation of 5-10 research studies/recommendations on issues relevant for the protection of rights of entrepreneurs from corruption identified in coordination with the Experts' Council (organize up to 5 workshops to finalise these studies/recommendations) Details: ❖ The topics of the studies will be selected in coordination with the Experts' Council. Following the definition of the topics and the preparation of the papers resulting from these studies. Up to five workshops will be organized to discuss the findings and recommendations. The timeline for the preparation of the studies and the workshops will be agreed in meetings of the Steering Committee in April and October 2014.	5-15 experts (International and local) 5 workshops * 20 participants each (up to 100 participants in total)	April 2014 –November 2015	
ER 6	Awareness of the business community is raised with regard to the risks of infringement of entrepreneurial rights and possible methods for their protection				
Act 6.1	Development of information materials for entrepreneurs on typologies of corruption risks, corruption cases, and on possible protection mechanisms	Development of a handbook with information materials for entrepreneurs on typologies of corruption risks, corruption cases, and on possible protection mechanisms Details: ❖ The handbook will be developed by international and local experts who will develop the material by taking into account the findings from Act 3.1. two experts up to 10 working days each.	2 experts (International and local expert)	April 2014 – June 2014	
Act 6.2	Provide a reference source and	Develop a handbook with reference sources and	2 experts (International and	October 2014 -	

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
	compile recommendations on good governance principles in business (compliance and integrity practices, anti-corruption charters, etc.) as a mechanism to reduce corruption risks	recommendations on good governance principles in business (compliance and integrity practices, anti-corruption charters, etc.) as a mechanism to reduce corruption risks. Details ❖ The handbook will be developed by international and local experts. (Two experts up to 10 working days each)	local expert)	November 2014	
Act 6.3 Act 6.3	Conducting seminars and other events for the business community to raise awareness of existing forms of participation of entrepreneurs in anti-corruption mechanisms and on implementation of good governance principles and compliance mechanisms	Conducting seminars and other events (eight in total) for the business community to raise awareness of existing forms of participation of entrepreneurs in anti-corruption mechanisms and on implementation of good governance principles and compliance mechanisms Details: ❖ The seminars will be planned in such manner as to take into account the findings from the TPs in Act 6.1 and Act 6.2. ❖ To ensure broad regional coverage and dissemination of the information six of these seminars (30 participants each) will be organized in various regions in the Russian Federation. (the project will support participation of up to 20 participants from nearby regions to each of the six events) ❖ One seminar will be organized within the “Young Entrepreneurs Season” in June 2014. ❖ One seminar in Moscow (up to 40 participants, the project will support participation of up to 30 participants from nearby regions)	Various	June 2014 – November 2015	
ER 7	ECtHR-case law relevant to entrepreneurs rights and related				

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
	corrupt practices is made available and disseminated				
Act 7.1	Review of ECtHR-case law relevant to the area of protection of the rights of entrepreneurs from corrupt practices	<p>Review of ECtHR-case law relevant to the area of protection of the rights of entrepreneurs from corrupt practices (case law selected based on typologies from Act. 3.1)</p> <p>Details:</p> <ul style="list-style-type: none"> ❖ The analysis will be prepared by an international expert (up to 5 working days). The case law reviewed will take into account the typologies from Act 3.1 as well as recommendations that result from the study visit to the ECtHR. 	1 expert (International)	May 2014 – September 2014	
Act 7.2	Awareness-raising seminars with business community, federal and regional ombudsman staff, legal professionals, etc. to disseminate results of ECtHR case law analysis	<p>Study visit to the ECHR (12 participants from the federal Ombudsman's office and Regional offices)</p> <p>Details:</p> <ul style="list-style-type: none"> ❖ Participants will discuss with representatives of the ECtHR on the case law relevant to the infringement of entrepreneurs rights and related corrupt practices 	Up to 12 participants from the office of the Federal Ombudsperson and the regional offices.	15 -25 January 2014 (TBC)	
Act 7.2		<p>Awareness-raising seminars with business community, federal and regional ombudsman staff, legal professionals, etc. to disseminate results of ECtHR case law analysis</p> <p>Details:</p> <ul style="list-style-type: none"> ❖ Two seminars will be organized with the aim of disseminating the results of the ECtHR case law analysis. The project will invite as speakers in these events the participants in the study visit to the ECtHR who will present their insight from the visit to the court. <ul style="list-style-type: none"> ○ One seminar will be organized in Moscow (up to 20 regional representatives will be supported by the project) 	40 participants per event; up to 80 in total.	November 2014- February 2015	Status

#	Description of Expected Result (ER) and Activity (Act)	Description of Action	Participants	Date	Status
		<ul style="list-style-type: none">○ One event will be organized in a venue outside Moscow (up to 30 participants to be supported by the project).			

9.1.3 Indicative Calendar of activities

Activity	2013												2014												2015														
	Month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12		
All ER	Inception phase	█	█	█	█	█	█	█	█	█																													
ER 1	Institutions of regional and public Ombudsmen are informed about the role, objectives and competencies of the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation and international standards and practices of comparable institutions																																						
Act 1.1	Comparative analysis of international and Russian experience in terms of powers, competencies and practices of a business ombudsman institution									█	█	█																											
Act 1.2	Awareness-raising and training activities for regional and public Ombudsmen on international standards and practices of comparable institutions (including in the context of competencies of the Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation) and typologies (to be drawn from Activity 3.1)									█						█	█	█										█	█	█	█	█	█	█					
ER 2	Overview of good practices in CoE member-states and proposals for protecting whistle-blowers in the area of corruption are available																																						
Act 2.1	Comparative analysis of practices in CoE member-states to protect whistle-blowers in the area of corruption										█	█	█																										

Activity	2013												2014												2015												
	Month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
Act 2.2 Development of proposals to regulate whistleblower protection in the Russian Federation																																					
ER 3 Proposals are available to strengthen measures to prevent the misuse of public authorities corporate in conflicts, eliminating competition and forced takeovers																																					
Act 3.1 Comparative analysis of integrity and rule of law measures in CoE member-states and other international experience to prevent the misuse of public authorities in: • corporate conflicts • eliminating competition • forced takeovers																																					
Act 3.2 Development of proposals to strengthen integrity and rule of law measures to prevent the abuse of public authorities in: • corporate conflicts • eliminating competition • forced takeovers																																					
ER 4 Practice of pro bono legal assistance in the protection of the rights of entrepreneurs is expanded																																					
Act 4.1 Comparative analysis of international and Russian practices and principles for pro bono work, including issues of incentives, as well as professional standards																																					
Act 4.2 Proposals for improvement of pro bono services of lawyers and legal associations and professional standards in this area																																					

Activity	2013												2014												2015												
	Month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
mechanisms																																					
ER 7 ECtHR-case law relevant to entrepreneurs rights and related corrupt practices is made available and disseminated																																					
Act 7.1 Review of ECtHR-case law relevant to the area of protection of the rights of entrepreneurs from corrupt practices																																					
Act 7.2 Awareness-raising seminars with business community, federal and regional ombudsman staff, legal professionals, etc. to disseminate results of ECtHR case law analysis																																					
All ER Closing Conference																																					

Reporting and Steering Committees	2013												2014												2015												2016						
Month	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	
Inception report																																											
Steering Committee Meeting (semi-annually)																																											
Annual Progress Report																																											
Final Report																																											

9.2 Appendix 2: Lists of participants in the start-up activities

9.2.1 List of participants in the start-up activities/meetings in March 2013

Representatives of the Institutions from the Russian Federation:

- *Mr Igor Korzenkov* – Head of Office of the Presidential Commissioner for Entrepreneurs' Rights
- *Ms Dina Krylova*, Secretary of the Experts Council of the Presidential Commissioner for Entrepreneurs' Rights
- *Mr Sergey Taut*, Head of the Secretariat of the Centre of Public Procedures Business against Corruption
- *Mr Leonid Anuchin*, Legal Advisor of the Office of the Presidential Commissioner for Entrepreneurs' Rights
- *Tikhoze Karl Karlovich*, Deputy Director of New Challenges and Threats Department of the Ministry for Foreign Affairs (anti-corruption issues)
- *Salov Vladimir Pavlovich*, Deputy Director of New Challenges and Threats Department of the Ministry for Foreign Affairs (counterterrorism issues)
- *Kurmaz Alexander Sergeevich*, Deputy Director of European Cooperation Department of the Ministry for Foreign Affairs
- *Vladimir Kashin-Padun*, Head of Section of European Cooperation Department of the Ministry for Foreign Affairs

Council of Europe:

- *Mr Ivan Koedjikov* – Head of the Action against Crime Department, DG I – Human Rights and Rule of Law
- *Mr Igor Nebyvaev* – Administrator, Economic Crime Co-operation Unit, Action against Crime Department

9.2.2 List of participants in the start-up activities/meetings in September 2013

Representatives of the Institutions from the Russian Federation:

- *Mr Igor Korzenkov* - Head of the Business Ombudsman Office Secretariat
- *Ms Dina Krilova* – Executive Secretary and Member of the Expert Council
- *Mr Maxim Zubkov* - Director of the Regional Ombudsmen Activities Coordination of the Ombudsman Office
- *Mr Leonid Anuchin* –Legal Officer of the Business Ombudsman Office

Representatives of Business and Legal Associations:

- *Ms Marina Bludian* – Presidium Member of the Russian Public Organisation for Small and Medium sized Business
- *Ms Irina Kotlevskaya* – Head of the Communication with Government Bodies and Legislation of the Russian Union of Industrialists and Entrepreneurs Department
- *Ms Anna Palagina* – Head of the Department for the Protection of Small and Medium Sized Business, Russian Commerce and Industry Chamber
- *Mr Nikolay Ostarkov* – Vice-President of the Russian Public Organisation “DELOVAYA ROSIYA”
- *Mr Dmitriy Petrov* – Member of the Directors' Council of the Non-profit Partnership “Union of Consumer Market Participants”
- *Mr Sergey Taut* – Head of the Public Procedures Centre Secretariat “Business Against Corruption
- *Mr Mikhail Levchenko* – Executive Director of the Non-profit Partnership “Assistance in Development of Corporative Legislation”
- *Ms Irina Yunkman* – Executive Secretary of the Office for the Protection of the Investors' Rights at the Organisation
- *Mr Alexander Zabeyda* – Attorney, Executive Partner of the Bar Association “Zabeyda, Kasatkin, Saushkin and partners”
- *Mr Denis Saushkin* – Attorney of the Moscow Bar Association, partner of the Bar Association “Zabeyda, Kasatkin, Saushkin and partners”
- *Mr Alexey Kasatkin* – Attorney of the Moscow Bar Association, partner of the Bar Association “Zabeyda, Kasatkin, Saushkin and partners”

- *Mr Yuriy Gervis – Attorney of the Moscow Bar Association*
- *Ms Natalia Dolgova – Attorney of the Moscow Bar Association “Mezhregion”*
- *Mr Roman Terekhin – Chairman of the Presidium for Young Entrepreneurs*

European Union Delegation in Moscow

- Mr Alexis Loeber - Head of Cooperation
- Ms Elisabeth Apraxine - Project Officer
- Mr Guillaume Durand - Trade Officer

Council of Europe Programme Office in Moscow

- Ms Evgeniya Rossinskaya – Deputy Head of Office
- Ms Anastasia Shatokhina – Finance Assistant
- Ms Zoya Kokorina – Senior Project Officer
- Ms Olga Korneeva – Project Assistant

Council of Europe – ECCU – Action against Crime Department – DG I

- Mr Igor Nebyvaev – Administrator
- Mr Mustafa Ferati – Project Manager

9.3 Appendix 3: Terms of Reference for the Steering Committee

9.3.1 SC Membership/Participation

The Steering Committee of this project is to be consisting of representatives of the Delegation of the European Union, Council of Europe and the Office of the Ombudsman for the Protection of the Rights of Entrepreneurs under the President of the Russian Federation as follows:

Co- Chairs

- Mr Boris Titov Federal Ombudsman for the Protection of Entrepreneurs' Rights under the President of the Russian Federation
- Mr Michael Web Deputy Head of the EU Delegation in Moscow

The Co-chairs may, exceptionally, delegate this role to a representative of their institutions who will resume the role of co-chair for the specific Steering Committee for which they have been authorised.

Members of the Steering Committee

- European Union Delegation to the Russian Federation
- Council of Europe Programme Office in Moscow
- Economic Crime and Co-Operation Unit of the Council of Europe
- Office of the Business Ombudsman in the Russian Federation
- Other government agencies from the Russian Federation

The final list of government agencies and organizations to be included into the Steering Committee is appended below. The Steering Committee will also involve in its meetings other relevant authorities related to project results and activities. The responsibilities of the secretariat of the SC are to be undertaken by the project team.

9.3.2 SC Responsibilities

The Steering Committee will take strategic decisions and supervise the proper implementation of the Project. It will address any major issues that the project may face. The Steering Committee will be called to meet just before the launching event (start-up event) then on a regular 6-months basis and *ad hoc* (whenever such need arises). The responsibilities of the Steering Committee are the following:

- Monitoring the implementation of the project and discussing its achievements;
- Approving work plans and progress reports, including the inception and the final one;
- Assessing emerging issues for sound project implementation and approving the resulting guidelines for the Project Management;
- Approving the necessary departures from the original TOR or Workplan

9.3.3 SC meetings and calendar

The Steering Committee shall be called to meet at the beginning of the project and at least once every six months and whenever such need arises. The following is the tentative Calendar of Regular SC Meetings:

Number of Regular Steering Committee Meetings	1 st SC Meeting	2 nd SC Meeting	3 rd SC Meeting	4 th SC Meeting	5 th SC Meeting
Tentative Dates	14 October 2013	April 2014	October 2014	April 2015	October 2014

9.3.4 Ad-Hoc Steering Committee Meetings

Ad-hoc meeting of the Steering Committee may be called by any of the parties represented in the Steering Committee. In these cases, at least 10 working days' notice shall be given to all the members of the Steering Committee.

9.3.5 List of permanent designated SC members

Name	Institution/Position	Nominee	Address/Phone/Email
Representatives of the Institutions from the Russian Federation			
Boris Titov	Federal Business Ombudsman	✓	Delegatskaya street 7/1, Moscow
Igor Korzenkov	Head of the Business Ombudsman Office Secretariat	✓	Delegatskaya street 7/1, Moscow
Tatiana Marchenko	Head of the Business Ombudsman Office	✓	Delegatskaya street 7/1, Moscow
Dina Krylova	Executive Secretary and Member of the Expert Council	✓	Delegatskaya street 7/1, Moscow
Andrey Ilin	Senior Advisor, Executive Office of the President of the Russian Federation	✓	Ilinka Street 23, Moscow
Ilya Klochkov	Deputy Head of the State Economic Regulation Department, Ministry of Economic Development of Russia	✓	Ovchinkovskaya naberezhnaya 18/1, Moscow
Sergey Krasilnikov	Deputy Head of the European Department, Ministry of Economic Development of Russia	✓	Ovchinkovskaya naberezhnaya 18/1, Moscow
Andrey Nazarov	Executive Co-chair of the Centre for Public Procedures "Business Against Corruption"	✓	Delegatskaya street 7/1, Moscow
Elena Rybachenko	Deputy Head of the Authorities' Control Office, Federal Antimonopoly Service of Russia	✓	Sadovo-Kudrinskaya 11, Moscow
Vladimir Tarabrin	Ambassador at Large on International Anticorruption Cooperation, Ministry of Foreign Affairs of Russia	✓	Smolenskaya-Sennaya 32/34, Moscow
Representatives of the EU Delegation to Moscow			
Michael Web	Deputy Head of the Delegation of the European Union to the Russian	✓	14/1, Kadashevskaya embankment Moscow, 119017, Russian Federation Telephone: +7 495 721 20 00

	Federation		Fax: +7 495 721 20 20
Elisabeth Apraxine	Project Manager, Legal Reform and Economic Cooperation Delegation of the European Union to the Russian Federation	✓	14/1, Kadashevskaya embankment Moscow, 119017, Russian Federation Telephone: +7 495 721 20 00 Fax: +7 495 721 20 20
Representatives of the Council of Europe			
Ivan Koedjnikov	Head of the Action against Crime Department, Council of Europe, Strasbourg, France	✓	Action against Crime Department Council of Europe 67075 Strasbourg Cedex France
Petr Sich	Head of the Council of Europe Programme Office in Moscow	✓	Head of the Council of Europe Programme Office in the Russian Federation; 9, Leontievskiy Pereulok, Moscow, Russian Federation
Mustafa Ferati	Project Manager, Economic Crime and Cooperation Unit, Action against Crime Department, Council of Europe, Strasbourg	✓	Economic Crime Cooperation Unit Action against Crime Department Council of Europe 67075 Strasbourg Cedex France Mustafa.Ferati@coe.int
Zoya Kokorina	Senior Project Officer, Economic Crime Cooperation Unit, Council of Europe Programme Office in Moscow	✓	Economic Crime Cooperation Unit Action against Crime Department Council of Europe Programme Office in the Russian Federation Zoya.Kokorina@coe.int

9.4 Appendix 4: Agenda for the 1st Steering Committee Meeting

14 October 2013	
11:00 – 11:30	<p>Opening Remarks:</p> <ul style="list-style-type: none"> ▪ <i>Mr Boris Titov – Federal Ombudsman for the Protection of the Rights of Entrepreneurs</i> ▪ <i>Mr Michael Webb, Deputy Head of Delegation, Delegation of the European Union to the Russian Federation</i> ▪ <i>Mr Ivan Koedjikov – Head of the Action against Crime Department, DG I, Council of Europe</i>
11:30 – 11:40	<p>Presentation of the role of the Steering Committee – TORs of SC</p> <ul style="list-style-type: none"> ▪ <i>Ivan Koedjikov – Head of the Action against Crime Department, DG I, Council of Europe</i>
11:40-11:55	<p>Presentation of the project goals and objectives</p> <ul style="list-style-type: none"> ▪ <i>Dina Krylova – National Project Coordinator, Federal Business Ombudsman Office</i>
11:55 – 12:10	<p>Presentation by CoE of the Project Inception Report Adoption of Inception Report by all SC members</p> <ul style="list-style-type: none"> ▪ <i>Zoya Kokorina, Senior Project Officer, Economic Crime and Cooperation Unit, Council of Europe</i>
12:10 – 12:45	<p>Presentation of Workplan and Calendar of Activities by CoE Adoption of Workplan and Calendar of Activities by all SC members</p> <ul style="list-style-type: none"> ▪ <i>Mustafa Ferati, Project Manager, Economic Crime and Cooperation Unit, Council of Europe</i>
12:45 – 13:00	<p>Final remarks</p>

9.5 Appendix 5: Agenda for the Launching Conference

15 October 2013	
11:00 – 12:00	<p>Opening Remarks:</p> <ul style="list-style-type: none"> ▪ <i>Mr Boris Titov – Federal Ombudsman for the Protection of the Rights of Entrepreneurs</i> ▪ <i>Mr Vygaudas Usackas – Ambassador, Head of Delegation of the European Union to Russia</i> ▪ <i>Mr Ivan Koedjikov – Head of the Action against Crime Department, DG I, Council of Europe</i>
12:00-12:15	<p>Protection of Entrepreneurs’ rights in the contemporary Russia</p> <ul style="list-style-type: none"> ▪ <i>Mr Reiner Hartmann - Chairman of the Executive Board of the Association of European Businesses in the Russian Federation</i> ▪ <i>Henri Reznik - Lawyer, Chairman of the Presidium of Moscow City Bar Association</i>
12:15 – 13:00	<p>Presentation of the project on “Protection of the Rights of Entrepreneurs in the Russian Federation from Corrupt Practices”</p> <ul style="list-style-type: none"> ▪ <i>Dyna Krylova, National Project Coordinator, Office of the Federal Ombudsman for the Protection of the Rights of Entrepreneurs</i> ▪ <i>Mustafa Ferati, Project Manager, Economic Crime and Cooperation Unit, Council of Europe</i> ▪ <i>Questions and Answers Session (15 min)</i>
13:00 – 14:30	Lunch
14:30 – 15:15	<p>Council of Europe instruments against corruption and its Project Implementation Modus Operandi with CoE Member States</p> <ul style="list-style-type: none"> ▪ <i>Ivan Koedjikov, Head of the Action against Crime Department, DG I, Council of Europe</i> ▪ <i>Questions and Answers Session (15 min)</i> <p><i>Moderator: Dina Krylova, National Coordinator, Federal Ombudsman for the Protection of the Rights of Entrepreneurs</i></p>
15:15-16:30	<p>Discussion on possible training needs in view of preparing a training module and handbook for regional ombudsmen</p> <ul style="list-style-type: none"> ▪ <i>Proposals and comments by Regional Ombudsmen</i> ▪ <i>Comments by Council of Europe experts</i> <p><i>Session Moderated by Council of Europe experts</i></p>
	Closure of the event

9.6 Appendix 6: Press Announcement for the launching event



MEDIA ADVISORY

Moscow, 10 October 2013

The European Union and the Council of Europe are launching a joint project on “Protection of the Entrepreneurs’ rights in the Russian Federation from Corrupt Practices” on 15 October 2013 at 11:00 in Moscow. The Russian Project Partner, the office of the Federal Ombudsman for the Protection of Entrepreneurs’ Rights will host the event at its premises.

The conference will be addressed by Mr. Vygaudas Ušackas, Ambassador, Head of the EU Delegation to Russia, Mr Ivan Koedjikov, Head of the Action against Crime Department, Council of Europe, and Mr. Boris Titov, Federal Ombudsman for the Protection of the Rights of Entrepreneurs. Over 100 participants representing the Federal Ombudsman for the Protection of Entrepreneurs’ Rights, Regional Ombudsmen for Protection of Entrepreneurs’ Rights, representatives of other institutions from the Russian Federation, representatives of Business Associations and Legal Associations will participate in this event.

The project is jointly funded by the European Union and the Council of Europe and is implemented by the Council of Europe. The project is one of the joint initiatives under the EU/Russia Partnership for Modernisation.

The event will mark the official start of the implementation phase for this project and will provide an opportunity for discussion of the Council of Europe instruments against corruption, the activities foreseen under the project and the training needs for regional ombudsmen.

Date and time: Tuesday, 15 October 2013 at 11:00 (registration starts at 10:20).
Venue: Business Ombudsman’s Office (7/1 Delegatskaya Street, Moscow)

Media representatives are invited to attend the official opening of the conference that will be followed by a press point. Accreditation is mandatory.

For media accreditation, please contact:

Ekaterina Arkhangelskaya, +7 (903) 774-97-77, press@ombudsmanbiz.ru

Background

Through the joint project on the “Protection of the Entrepreneurs’ Rights in the Russian Federation from Corrupt Practices” the European Union (EU) and the Council of Europe (CoE), in cooperation with the Business Ombudsman’s Office in the Russian Federation and other stakeholder institutions aim to facilitate and contribute to the implementation of mechanisms to prevent corrupt practices affecting the business sector in the Russian Federation. Specifically, the project will strengthen the capacity of the Business Ombudsman institutions and other authorities involved in protecting the rights of entrepreneurs in the Russian Federation from corrupt practices. The project has a foreseen length of 36 months starting from January 2013.