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First Progress Report

Component 2: Promotion of Good Governance: fight against corruption and money laundering

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Abbreviations

Alliance Tunisienne pour l'Intégrité et la Transparence	ATIT
Antenne marocaine des Parlementaires de la région Arabe contre la corruption	ARPAC-net
Arab Region Parliamentarians Against Corruption	ARPAC
Assemblée Nationale Constituante	ANC
Association des barreaux du Maroc	ABM
Centre d'Assistance Juridique Anti-corruption	CAJAC
Confédération Générale des Entreprises du Maroc	CGEM
European Union Delegation	EUD
Group of States against Corruption/Groupe des Etats contre la Corruption	GRECO
Inspection Générale de l'Administration Territoriale	IGAT
Instance Centrale de Prévention de la Corruption	ICPC
Instance Nationale de Lutte contre la Corruption	INLUCC
Middle East & North Africa Financial Action Task Force	MENA/FATF
Ministère de la fonction publique et de la modernisation de l'administration	MFPMA
Ministère de la gouvernance et de la lutte contre la corruption	MGLC
Ministère de la Justice et des Libertés	MOJL
Unité de traitement du Renseignement Financier	UTRF
United Nations Convention against corruption	UNCAC

1. SECTOR ANALYSIS IN THE AREA OF GOOD GOVERNANCE: FIGHT AGAINST CORRUPTION AND MONEY LAUNDERING

1.1 Morocco

In Morocco, the legislative framework to combat corruption and money-laundering consists of several texts, notably the law against terrorism (2003), the law on money-laundering (2007, developed and modified in 2011), and more recently the law on the protection of whistle-blowing (2011). Concerning international commitments, Morocco ratified in 2002 the International Convention for the suppression of the financing of terrorism, and in 2007 the United Nations Convention against corruption (UNCAC).

Following the first Anti-corruption Strategy and Action Plan (2005), in October 2010 Morocco launched a two-year revised Anti-corruption Plan, including some new measures, in particular concerning asset declarations for high officials, government protection of whistle-blowers, and channels for the public to report graft and extortion by government officials. Furthermore in October 2011, the Ministry of Public Function and Modernisation of the Administration prepared a *Check List* of the priorities of the government and the Kingdom's administration, entitled Programme of Action to prevent and Combat Bribery.

In terms of regional efforts, since 2006 Morocco has its "Moroccan Parliamentarians against Corruption", that is the Moroccan chapter of the league of Arab Region Parliamentarians against Corruption (ARPAC) - established in Beirut in November 2004. The ARPAC's main objectives consist of persuading national chapters to build coalitions with the media, civil society movements and academics, and calling for national and regional efforts to promote methods for fighting corruption and to build the capacity of members of Arab parliaments to promote transparency and accountability.

L'Instance Centrale de Prévention de la Corruption (ICPC): a new Organic Law was drafted and will be tabled shortly to the parliament. The new legislation will render this agency more independent and will provide it with features and competences of a law enforcement nature. The ICPC is also expected to have additional human and financial resources allocated from the administration budget. Other aspects of legislative improvements concerning the future status of ICPC and secondary legislation regulation involve the new law on Whistle-Blowing and Witness Protection (enforced in October 2011) and provisions concerning Declaration of Assets; Conflict of Interests and Public Procurements; Right to Access to Information; and Stolen Asset Recovery. ICPC has been working closely with certain EU-funded projects under twinning and short term training programmes including here on-going assistance from OECD/SIGMA in drafting the organic law for the ICPC itself. Areas of assistance needs include here but are not limited to:

- Setting up Indicators and Benchmarking tools to measure progress and impact of implementing Anti-corruption policies and strategies;
- Designing tools to implement and monitor Anti-corruption Plan;
- Increasing the capacities of ICPC staff to carry out Administrative Inquiry and treat Criminal Procedure related files concerning corruption offences/violations;
- Resource support and capacity building to carry out Sector Analysis (i.e. Health, Education; Habitat); and

- Increasing the capacities of ICPC to cooperate nationally with other administration structures and civil society as well as with regional and international partners.

Ministère de la fonction publique et de la modernisation de l'administration (MFPMA) is the institution in charge of coordinating the legal framework of all reforms and policies related to Economic Crime, Organised Crime and Anti-corruption where the last one is presumably ensured through cooperation and coordination with ICPC. The MFPMA is now in the process of preparing a new inter-sectoral Anti-corruption Strategy and is expected to finalise it before the end of 2012 which is the same time that they expect to have the government to approve it as the highest level structure. Furthermore, MFPMA is the structure that in cooperation with the Anti-corruption Inter-Ministerial Commission represents Morocco in the UNCAC proceedings as a Focal Point. In view of this, MFPMA has been closely involved in preparing the evaluation report on the implementation of the United Nations Convention against Corruption, a report which is being finalised at the moment and expected to become public very soon. Areas of assistance needs involve but not limited to:

- Need to acquire tools and methodologies for designing Anti-corruption and Economic Crime strategies and policies;
- Need to acquire good practices in implementing legal and institutional related measures aimed at prevention and combating corruption and Economic Crime;
- Need to acquire European and international standards (treaty and soft law) in order to prevent and fight corruption through good governance policies.

Ministère de la Justice et des Libertés (MOJL): Among its statutory responsibilities and duties, the MOJL is currently being in charge of all legal framework coordination related to the new legislation that needs to be in place. It also undertakes initiatives to compile good practices for training judges and prosecutors, reforming legislation concerning judicial mechanisms (criminal law and civil law—as currently being reviewed), and ensure cooperation of civil society and other independent structures on issues concerning judiciary and implementation of legislation. In addition, is the body that is responsible for the administration and capacity building of the newly established structures under the Division of the Economic Crime which has four appeal Tribunals in four big cities in the country (Marrakech, Rabat, Fes, and Casablanca). Furthermore, it has created a Commission of 4 Judges who treat and review files that are transferred to the Cour des Comptes.

In terms of relevant case statistics, the MOJL has already created a Cellule Centrale des Etudes concernant la Lutte Contre la Corruption and its first Annual Report is produced this year.

The MOJL is also working closely with the Unité de Traitement du Renseignement Financier (UTRF)-the Moroccan Financial Investigation Unit (FIU) in the area of public awareness raising and obligatory institutions with relevance to the work of FIU. As for issues related to **seized and confiscated crime proceeds**, Morocco does not have a specialised, standalone structure and procedures as such are carried by the Office of Prosecutor in Morocco. Areas of assistance needs involve but are not limited to:

- Strengthening the capacities of judges and prosecutors to carry out Economic Crime and corruption related cases;

- Increasing cooperation with international homologue structures, especially concerning cross-border financial crime where bilateral agreements are being applied or need to be introduced; and
- Increasing the capacities in implementing international treaty law standards related to corruption and Economic Crime when reviewing and improving domestic legislation.

Ministère de l'Intérieur: Inspection Générale de l'Administration Territoriale MoI (IGAT): The Ministry itself has a special Economic Crime Division which also is responsible for the Training Programme on the fight against corruption. This General Inspectorate is being involved mainly on 1) Inspections; 2) Audit; 3) General Assessments of Risks; and 4) Inquires on administrative violations. As far as concerns the prevention and the policy implementation in the fight against corruption, those structures work together in cooperation with ICPC especially in terms of establishing training for all the staff in the deontology and professional behaviour of administration. Areas of assistance needs involve but not limited to:

- Provision of Anti-corruption Training Programme for Inspectorate Staff and of a Training Module on Anti-corruption issues concerning public administration.

Unité de traitement du Renseignement Financier (UTRF): The Moroccan FIU is an independent institution accountable directly to the Chef du Government. Its organic law was adopted the same year (2007) that Middle East & North Africa Financial Action Task Force (MENAFATF) was evaluating the country, whereas UTRF itself became operational in 2009. In February 2011 it concluded that the country had satisfied to certain extend several recommendations – however, Special Recommendation (SR 2) concerning the Definition of Financing of Terrorism (as acts) and of Terrorism itself as an act remains a concern, which is more related to the legal system and jurisprudence of definitions as such in the country. Since then, UTRF has been working closely with and receiving assistance through the IMF, MOJL and through its twining programme with Spain and cooperation with TRACFIN of France. Areas of assistance needs involve but are not limited to:

- Specialised and multi-disciplinary training among all law enforcement agencies and FIU in terms of cooperation and information reporting and sharing when tracing financial intelligence and initiating criminal procedures.

Confédération générale des Entreprises du Maroc – Commission d'Ethique et Déontologie (CGEM): Areas of assistance needs involve but not limited to:

- Provision of Training Programme on Ethics in Private Sector; and
- Assistance and Policy advice on Risk Assessment Analysis of different Private Sector.

Association marocaine de lutte contre la corruption - Transparency Morocco (TM): European Union Delegation in Morocco (EUD) is supporting through two important projects both: the Transparency Morocco and its project called Centre d'Assistance Juridique Anti-corruption (CAJAC). Furthermore, TM has been closely working with OECD and other TI chapters in exchanging good practices especially in terms of issues concerning Access to Information, law implementation and reform to justice sector. Areas of assistance needs involve but not limited to:

- Involvement of civil society and TI Morocco in the process of Anti-corruption policy designs and monitoring of implementation of Anti-corruption and good governance policies in different sectors.

Antenne Marocaine des Parlementaires de la région Arabe contre la corruption (ARPAC-net): Areas of assistance needs involve but not limited to:

- Awareness Raising of Parliamentarians and Legislative Commissions on Legal Reform concerning implementation of Anti-corruption international standards through exchange of good practices with international partners;
- Awareness raising on Tools and Methodologies used for reviewing and monitoring Anti-corruption Policies and their Performance.

1.2 Tunisia

The Arab Spring revealed and many challenges and difficulties faced by the Tunisians, *inter alia* a high unemployment rate (especially among the youth and in the hinterland), big disparities (in development, revenues...) and wide-spread (quasi institutionalised) corruption.

It can be underlined that Tunisia inherited from the former regime a large legislative framework. At the international level, it reviewed its Anti money-laundering framework (with the MENA/FATF in 2007) and ratified the UNCAC in 2008 (self-assessment review is expected to be finalised by 13 January 2013 and to be published in June 2013).

Two years after the Arab Spring, the situation remains difficult in Tunisia adding instability to an already severe economic situation. The authorities could not adopt a new constitution within the timeframe the National Constitutional Assembly was elected in November 2011. Caught between the multiplication of popular demonstrations and the raise of Islamic radicalism, the authorities seem to continue to be under high pressure.

In Tunisia, **Ministère de la gouvernance et de la lutte contre la corruption (MGLC)** is the coordination body of the national efforts to combat corruption in Tunisia. Within the administration of the Prime Minister, this body has difficulties to cooperate with larger administrations and though it is already in charge of the cooperation with major providers of international cooperation. One of the recent reforms appreciated but yet to prove its worthiness is the establishment and roll-out of good governance and Anti-corruption units (*cellules de bonne gouvernance et de lutte contre la corruption*) within each ministry. As far as concerns the **National Strategy against Corruption**, the Ministry is still continuing its work to further improvement of its design, although its official launching took place on 9 December 2012. It should be noted that this text has drawn critics from the civil society for lack not sufficient consultation with them and other public groups.

During the reported period, and contacts carried out with authorities of the Ministry of Governance and fight against Corruption, it results that the Ministry itself is seeking rapid and positive results in reaching their objectives, and therefore they count on cooperation. Areas of assistance needs involve but not limited to:

- Resource support and capacity building to carry out Sector Analysis (i.e. Public Procurement, customs administration, tax administration and property administration);
- Provision of an Anti-corruption programme for public officials;
- Increasing capacities in implementing international law standards related to corruption and economic crime when drafting domestic legislation;
- Assistance to relevant public administration institutions concerning introducing public officials code of conduct (drafting and training);
- Legislative assistance in drafting the anti-corruption legislative framework; and
- Providing tools and methodologies through the organisation of training and exchange of good practice aiming the roll-out of good governance and Anti-corruption units (cellules de bonne gouvernance et de lutte contre la corruption) within each ministry and administration, including at the local level.

Instance Nationale de Lutte contre la Corruption (INLUCC) is the successor of the Investigation Committee on corruption and Grafts operated under the old regime (Commission d'investigation nationale sur la corruption et les malversations de l'ancien regime) aka Amor Commission established by Ben Ali to combat corruption. Although the devotion and expertise of its president, the Instance has met difficulties to achieve its mission. Moreover the future of the Instance is not clear as the new constitution is expected to re-direct its objectives as a structure.

Areas of assistance needs involve but not limited to:

- Strengthening of the capacities of the National Instance for the fight against Corruption (INLUCC) through sharing of information and good practices as well as establishment of professional networks with homologue institutions in Europe;
- Provision of assistance on introducing internal rules concerning the instance's status of the staff and their role and internal rules in managing and processing cases;
- Provision of assistance to the preparation of a safety protocol for the access to the premises of the Instance and the protection of the classified files; and
- Specialised and multi-disciplinary training for INLUCC staff to carry out inquiry (or investigations) concerning economic crime and corruption related-cases.

Ministère de la Justice (MoJ) confirmed those activities as suggested through discussions with CoE which aim training of all those involved (including here staff members of the new structure of Finance Section of the Court (Pôle Judiciaire Financier) in charge of investigating all economic crime cases and corruption criminal offences. Areas of assistance needs involve:

- Specialised and multi-disciplinary training for judges, prosecutors and law-enforcement agencies, to carry out economic crime and corruption related-cases including inquiry methods.

Ministère de l'intérieur (MoI) at this institution area of assistance needs involve:

- Specialised and multi-disciplinary training for law-enforcement agencies to carry out economic crime and corruption related-cases including inquiry methods.

L'Assemblée Nationale Constituante (ANC) was elected in November 2011 to draft a new constitution within one year. Considering the other responsibilities of the Parliament, this ambition became a real challenge and there is public expectation now that the adoption of the new constitution may take place by the end of 2013 which is contradicting the official commitment to finalise the draft by spring 2013. At the same time, the ANC is working on the current legislative framework on the financing of political parties and the new anti-corruption legislative framework. Areas of assistance needs involve:

- Raising of awareness of Parliamentarians concerning implementation of Anti-corruption international standards on the financing of political parties through the exchange of good practices with international partners/homologue structures.

Ordre National des Avocats de Tunisie is the National Bar Association of Tunisia. To preserve independency of the profession, the new regulation (2011) did not list the lawyers as *agents* (auxiliaries de justice) of the law. The organisation is willing to play a role in the restructuration of the justice, especially by contributing to the setting a good governance policy and standards of professional code of conduct. In view of this, the organisation is intending to adopt a code of conduct for the legal profession and to develop networking activities with other professionals identified as *agents of the law*, such as chartered accountants and other court experts etc. Areas of assistance needs involve:

- Increasing the capacities of the organisation through the assistance to the drafting of a Code of Conduct for the lawyers;
- Anti-corruption programme on corruption and conflict of interest;
- Specialised and multi-disciplinary training for trainers on methods to identify and combat corruption;
- Developing Networking opportunities with agents of the law.

Ordre des Experts-Comptables de Tunisie is the National association of chartered accountants. As an important provider of experts for judicial procedures, it is ready to take the opportunity of the current situation and identify the profession as “confident third parties in the judicial system”. Persuaded of the complementation of their needs with lawyers and other agents of the law, the association is expecting a comprehensive networking to positively contribute to the reform of the judiciary in Tunisia. Areas of assistance needs involve:

- Provision of general anti-corruption training programme on corruption and conflict of interest;
- Specialised training for trainers on methodology of identifying corruption related cases; and
- Developing networking opportunities with lawyers and other agents of the law.

2. IDENTIFIED NEEDS FOR INTERVENTION AND ASSISTANCE

During the Inception Phase as well as after the Inception Phase, the project team continued its effort in identifying and better diagnosing the needs of assistance in both Morocco and Tunisia that would be addressed and supported through project activities.

2.1 Morocco: List of Identified Needs

- a. Provision of tools and methodologies through Training Programme and exchange of good practice for designing and implementing Anti-corruption and Economic Crime strategies and policies as well as monitor their level of implementation;
- b. Setting up Indicators and Benchmarking tools to measure progress and impact of implementing Anti-corruption policies and strategies;
- c. Increase the capacities of ICPC staff to: carry out administrative inquiry and treat criminal procedure related files when concerning corruption offences/administrative violations; and cooperate nationally and internationally with other homologue and partner institutions as well as civil society;
- d. Provision of technical support and advice on designing and carry out Sector Analysis (i.e, Health, Education; Habitat, Permits and private sector);
- e. Need to acquire European and international good practice in implementing legal and institutional related measures aimed at prevention and combating corruption and Economic Crime;
- f. Need to acquire European and international standards (treaty and soft law) in order to prevent and fight corruption through good governance policies;
- g. Strengthening the capacities of judges and prosecutors to carry out economic crime and corruption related cases;
- h. Increasing cooperation with international homologue structures, especially concerning cross-border financial crime where bilateral agreement are being applied or need to be introduced;
- i. Increasing the capacities in implementing international law standards related to corruption and economic crime when reviewing and improving domestic legislation;
- j. Provision of Anti-corruption Programme for Inspectorate Staff and of a training Module on Anti-corruption issues concerning public administration;
- k. Specialised and multi-disciplinary training for law enforcement agencies and FIU in terms of cooperation reporting and sharing when tracing financial intelligence and initiating criminal procedures;
- l. Provision of Training Programme on Ethics in Private Sector;
- m. Involvement of civil society and TI Morocco in the process of Anti-corruption policy designs and monitoring of implementation of Anti-corruption and good governance policies in different sectors;

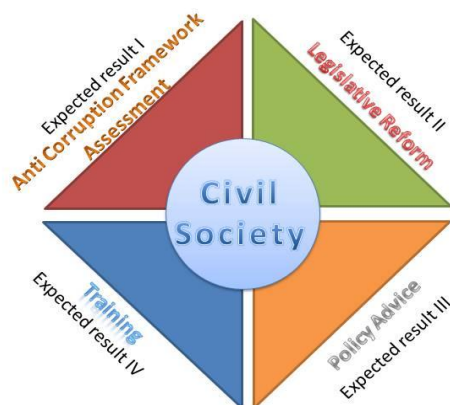
- n. Awareness raising of Parliamentarians and Legislative Commission on Legal Reform concerning implementation of Anti-corruption international standards through exchange of good practice with international partners.

2.2 Tunisia: List of Identified Needs

- a. Strengthening of the capacities of the National Instance for the fight against Corruption (INLUCC) through sharing of information and good practices as well as establishment of professional networks with homologue institutions in Europe;
 - Provision of assistance on introducing internal rules concerning the instance's status of the staff and their role and internal rules in managing and processing cases;
 - Provision of assistance to the preparation of a safety protocol for the access to the premises of the Instance and the protection of the classified files;
 - Specialised and multi-disciplinary training for INLUCC staff to carry out inquiry (or investigations) concerning economic crime and corruption related-cases.
- b. Need to provide capacity building to administration and support the carrying out of Sector Analysis;
- c. Providing assistance to relevant institutions to review/draft code of conduct;
- d. Increase capacities of legislation drafter when applying international law standards;
- e. Providing tools and methodologies through the organisation of training and exchange of good practice in support to the roll-out of good governance and Anti-corruption units (*cellules de bonne gouvernance et de lutte contre la corruption*) within each ministry and administration, including the local level;
- f. Setting up Indicators and Benchmarking tools to measure progress and impact of implementing Anti-corruption policies and strategies;
- g. Strengthening the capacities of the staff of the new Pôle Judiciaire Financier, prosecutors, law-enforcement bodies to carry out economic crime and corruption related-cases;
- h. Strengthening the capacities of the private lawyers and agents of the law (*Auxiliaires de Justice*) ie. Court Experts and lawyers concerning the detection of corruption and conflict of interests;
- i. Promoting and supporting the involvement of civil society in the monitoring and evaluation of the implementation of the National Strategy on Good Governance and fight against Corruption;
- j. Raising awareness of the Parliamentarians concerning implementation of Anti-corruption international standards on financing of political parties through the exchange of good practices with international partners.

2.3 Rational of the technical assistance of the Council of Europe

Following the identification of needs and reform priorities in each country, the project team initiated a process of assessment of needs vis-à-vis objectives of the project and more specifically the intended results. As a result, the methodology of the technical assistance of the Council of Europe has been designed to consist of four types/categories of activities implemented simultaneously or consecutively, involving when possible the civil society. Those four categories will contribute to each expected result as initially agreed and contracted with the EU and beneficiaries.



3. SPECIFIC ACTIVITIES AND BENCHMARK FULFILLMENT (January –December 2012)

3.1 Summary of Expected Results for Morocco and Tunisia

Objective: Enhancing the political and democratic reform process in countries of the region.

Specific Objective: Promoting good governance notably through increased prevention of corruption and money-laundering on the basis of the relevant Council of Europe standards, mechanisms and instruments and to improve the basic framework for regional co-operation in this respect.

Overall Result: The main Council of Europe and European Union standards and best practices in terms of mechanisms and instruments to control and combat corruption, money-laundering and terrorism financing are introduced into the beneficiary policy framework and institutional setup. The relevant capacities of the judiciary and law-enforcement agencies are increased. The basic framework for regional co-operation is improved.

Expected Result I: Recommendations and policy advice in the area good governance and fight against corruption are made available following assessment of the anti-corruption's legal and institutional framework on basis of the GRECO methodology.

Expected Result II: Increased capacities on legislative reforms through legal advice and legal drafting concerning administrative structures through knowledge sharing of good practices and cooperation with civil society.

Expected Result III: Available policy advice and sector risk analysis to relevant institutions concerning good governance and corruption prevention tools/methodologies.

Expected Result IV: Provision of training modules and awareness raising for those relevant institutions and civil society groups in the area of good governance and fight against corruption and Economic Crime.

3.2 Morocco - Promotion of Good Governance: fight against corruption and money laundering

Expected Result 0: Commencement and Finalisation of Inception Phase	
Activity No.M.0.1	Inception Phase: Launching of the Component in Morocco
Actions	<ul style="list-style-type: none"> 2 Secretariat Start up missions carried out in February and April 2012. Start-up Activities/meetings introducing Project and carrying out updated needs assessment in the country; Identifying the modalities of intervention and priority component interventions for the project; Establishing project network and contacts (re-enforcing all beneficiary and counterpart list); Drafting the Intervention Logic and Indicative Calendar of Activities; Drafting Estimated Budget.
Beneficiaries Counterparts	
Objectively verifiable indicators	<ul style="list-style-type: none"> Inception Report: Component II: Promotion of Good Governance: Fight against Corruption and Money Laundering; Networks, contacts points and country and institutions' Focal Points identified and committed to project coordination (L'Instance Centrale de Prévention de la Corruption (ICPC)); Project (Component) Staff recruited and operational since July 2012.
Progress made/Follow up	<ul style="list-style-type: none"> Inception Phase finished Inception Report finalised and approved in September 2012.
Expected Result I: Assessment of the legal and institutional framework	
Activity No.M.1.1	Start Up workshop
Actions	<ul style="list-style-type: none"> Presentation of the methodologies on assessing legal and institutional frameworks concerning corruption and money-laundering aspects as applied by GRECO and Moneyval to combat corruption and economic crime; Review and discussion of other Council of Europe mechanisms and structures carrying out political and technical level monitoring and evaluation: such as those applied by Parliamentary Assembly and the European Court of Human Rights; Review and adoption of the list of identified needs for all concerning

	institutions; <ul style="list-style-type: none"> Review, discussion and adoption of the workplan of activities for Morocco under the Component II (see Workplan as enclosed in this report).
Objectively verifiable indicators	<ul style="list-style-type: none"> Activity Report, Agenda and Materials; Official Validation of the Workplan of activities by the beneficiary and more specifically by the Moroccan Anti-Corruption Authority, "Instance centrale de prévention de la corruption" as the National Coordinator of the Network of Beneficiaries in Morocco; List of identified and confirmed Focal Points for each beneficiary institution.
Progress made/Follow up	This activity' resulted into reviewing and adoption of the workplan of activities as well as calendar of activities, identification of National Coordinator and Focal Points.
Activity No.M.1.2	Preparation and introduction through a Training Seminar of the Questionnaire of Assessment.
Actions	<ul style="list-style-type: none"> Drafting and preparation of the assessment questionnaire on the basis of the GRECO model; Drafting and finalisation of the terms of reference of the assessment process; Identification of the Key Assessment Experts (national and international).
Objectively verifiable indicators	<ul style="list-style-type: none"> Assessment questionnaire on the basis of the GRECO model available in French and English; Terms of reference of the assessment process; Assessment report published and disseminated to all relevant structures; Available Recommendations' (from Assessment Report) on AC framework to relevant institutions.
Progress made/Follow up	<ul style="list-style-type: none"> Assessment questionnaires remain to be finalised by end of February 2013; Training Seminar for key national institutions on the Assessment Questionnaire is organised before end of February 2013.

3.3 Tunisia - Promotion of Good Governance: fight against corruption and money laundering

Expected Result 0: Inception Phase	
Activity No.T.0.1	Inception Phase: Launching of the Component in Tunisia
Actions	<ul style="list-style-type: none"> 2 Secretariat Start up missions carried out in September and December 2012. Start-up Activities/meetings introducing Project and carrying out updated needs assessment in the country; Identifying the modalities of intervention and priority component interventions for the project; Establishing project network and contacts (re-enforcing all beneficiary and counterpart list); Drafting the Intervention Logic and Indicative Calendar of Activities; Drafting Estimated Budget.
Objectively verifiable indicators	<ul style="list-style-type: none"> Inception Report: Component II: Promotion of Good Governance: Fight against Corruption and Money Laundering; Networks, contacts points and country and institutions Focal Points identified and committed to project coordination Ministère de la gouvernance et de la lutte contre la corruption (MGLC);

	<ul style="list-style-type: none"> ▪ Project Staff (in Strasbourg) and Programme Coordinator (in Tunisia) recruited and operational; ▪ Confirmed Workplan and Calendar of Activities
Progress made/Follow up	<ul style="list-style-type: none"> ▪ Inception Phase finished; ▪ Inception Report finalised and approved in September 2012.
Expected Result III: Policy Advice	
Activity No.T.3.1	Strengthening of the capacities of the National Instance for the fight against Corruption (INLUCC) through the sharing of information and good practices as well as establishment of professional networks with homologue institutions in Europe.
Actions	<ul style="list-style-type: none"> ▪ Identification of up to three institutions that could be of relevance and interest as good practices and models for the INLUCC in order to allow them that in the future they can determine the model of their own constitutionally reformed institution; ▪ Initiation of communication and drafting of Study Visit Programme.
Objectively verifiable indicators	<ul style="list-style-type: none"> ▪ Study Visit takes place in up to three countries in Europe; ▪ Share of good practices and establishment of networking capacities made available and documented; ▪ Three agency models available for use and review by the national experts prior to determining the future model of INLUCC which has to be regulated by the Constitution.
Progress made/Follow up	<ul style="list-style-type: none"> ▪ Three countries have been identified for such a visit taking into considerations similarities and vast options they provide. Up to 10 participants from relevant institutions in Tunisia will visit during one week: France, Croatia and Slovenia's Anti-corruption Agencies/Commissions. ▪ The study visit has been tentatively scheduled for end of February.

4. MOROCCO COOPERATION WITH OTHER STAKEHOLDERS

4.1 Morocco Counterpart and beneficiaries

- Instance Centrale de Prévention de la Corruption (ICPC);
- Unité de Traitement du Renseignement Financier (UTRF);
- Ministère de l'Intérieur – Inspection Générale de l'Administration Territoriale (IGAT);
- Ministère de l'Intérieur – Direction Nationale de la Sureté Nationale (DNSN);
- Ministère de la Justice et des Libertés – Direction des affaires pénales et des grâces (MOJL);
- Ministère de la Fonction Publique et de la Modernisation de l'Administration (MFPMA);
- Association des barreaux du Maroc (ABM);
- Association marocaine de lutte contre la corruption - Transparency Maroc – Le Centre d'Assistance Juridique Anti-corruption (CAJAC);
- Antenne marocaine des Parlementaires de la région Arabe contre la corruption (ARPAC-net);
- Confédération Générale des Entreprises du Maroc – Commission d'Ethique et Déontologie (CGEM-CED).

4.2 Morocco-International Partners/Other Organisations

During the inception phase and more specifically during the first two missions, contacts and relevant concrete information were shared with the main technical assistance players in the country such as the EU Delegation programmes of support in the area of good governance; the US Embassy and USAID programmes on Democracy and Rule of Law; the World Bank and UNDP. In addition, the Secretariat of the CoE had the chance also to brief and exchange information at a forum of exchanged views with a number of European ambassadors at a meeting hosted by the UK Embassy in Rabat in view of an on-going visit of the Council of Europe's Parliamentary Assembly Rapporteur's¹ visit (at the time, the UK held the Chairmanship of the Committee of Ministers of the Council of Europe) in Rabat. The needs assessment visits created the possibility to establish contacts valuable for this project component. Furthermore, it allowed the exchange of information on the actions that are currently taking place and/or planned to take place, in particular in terms of technical assistance providers and programmes related to Anti-corruption and Economic Crime reforms. Regular co-ordination is needed for the future to ensure that there is no duplication of CoE interventions. For instance, joint efforts and good cooperation is required to as far as concerns assistance related to the Instance Centrale de Prévention de la Corruption and Ministères de la fonction publique et de la modernisation de l'administration in capacity building (training and technical advice as well as risk analysis). Such areas seem to be of concern and therefore intervention sectors for the World Bank, UNDP and USAID. In view of this, it was agreed that contact and exchange of information will take place on regular basis concerning the design of project activities in the above-mentioned sectors.

5. TUNISIA COOPERATION WITH OTHER STAKEHOLDERS

5.1 Tunisia Counterpart and beneficiaries

- Ministère de la gouvernance et de la lutte contre la corruption (MGLC);
- Ministère de l'Intérieur;
- Ministère de la Justice;
- Instance nationale de Lutte contre la Corruption (INLUCC);
- Ordre national des Avocats de Tunisie;
- Ordre des Experts Comptables de Tunisie;
- Assemblée nationale Constituante (ANC); and
- Alliance Tunisienne pour l'Intégrité et la Transparence (ATIT).

5.2 Tunisia -International Partners/Other Organisations

During the inception phase and more specifically during the first two missions, contacts and relevant concrete information were shared with the main technical assistance players in the country such as the EU Delegation programmes of support in the area of good governance. During the reported period, contacts were taken with international and diplomatic representations initially of France and Switzerland.

Furthermore, the project team was able to initiate contacts with on-going assistance concerning asset recovery with important contributions by the **African Development Bank**

¹ Mr Luca Volontè (Italy, EPP/CD), Rapporteur of PACE Political Affairs Committee on the "Evaluation of the Partnership for Democracy in respect of the Parliament of Morocco", fact-finding mission to Rabat on 17 and 18 April 2012.

(executive secretary of the Deauville Partnership) and **Switzerland** which apparently are providing a major input in the framework of asset recovery since 2011. During the reported period, this support took the form of a deployment of a judge and a financial expert to help the authorities to install the financial section to the Tunisian courts and initiate international consultation aiming the recovery of stolen assets beyond the Tunisian borders.

Considering the risk of duplication of efforts and the competitive advantage of the expertise of the international actors already committed and in place in this area, the project team of Council of Europe has decided for the moment to not offer any concrete assistance in this field unless future and other development prove the contrary. Furthermore, risks of duplication remain to be avoided with UNDP and Sigma while the project team has already take concrete steps to only coordinate and share information with those organisations based on the good practices as applied in previous dealings and in other countries.

UNDP is currently providing assistance to draft the National Strategy to fight corruption and is supporting INLUCC for networking opportunities with homologue institutions worldwide.

Sigma, a joint initiative of the OECD and the EU is currently supporting the foundation of an independent observatory on the monitoring of national policies, a national system of transparency and probity (public procurement, customs, tax, public ownership. It will also train journalists to investigate on Economic Crimes.

6. COMPONENT ACHIEVEMENTS AND RISKS

6.1 Achievements

In Morocco and Tunisia achievements in so far and up to this date include the following:

- Project Inception Phase finalised;
- National Coordinator Institutions nominated for both Morocco and Tunisia;
- National Institutional Focal Points nominated for both Morocco and Tunisia;
- Workplan and Calendar of Activities finalised based on the Logframe for both Morocco and Tunisia;
- Launching of initial activities as reported above has been initiated now and is on-going.

6.2 Risks

During the reported period, the Economic Crime Cooperation Unit – DG I (in charge of implementing Component 2 of the South Programme, identified couple of obstacles which in case of increased frequency may represent in the future risks for this project. Those obstacles would include:

In both countries

- Repetition of the same requests for assistance and intervention to other technical assistance providers, thus creating space for duplication.

In Morocco

- Delays in proceedings, responses and correspondence with certain national structures.

In Tunisia

- Due to the current situation (instability), difficulties are foreseen to mobilise the different beneficiaries in the public administration. For instance, the Activity T1.1, was planned to take place in the format of a workshop aiming at bringing various Tunisian beneficiaries on 10-11 December 2012 in Strasbourg had to be cancelled and postpone for 2013 due to delayed responses and confirmation of attendance. It should be mentioned also that official invitation letters take a long routing (due to administrative rules in Tunisia) before they reach the recipient in Tunisia.

7. COMPONENT VISIBILITY ACTIONS

Bilingual project website (English and French) has been set up under the Economic Crime Section web page and is regularly updated with Project news, upcoming events and outputs: (<http://www.coe.int/corruption/snac>). This website complements the general web portal setup by the Office of the Directorate General on Programmes (<http://south-programme-eu.coe.int/>).



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

Action against economic crime

South Programme - Component 2

Promotion of Good Governance and Fight against corruption (SNAC)

Funded by the European Union

Implemented by the Council of Europe

PROJECT DOCUMENTATION

- Description of Action for Morocco
- Description of Action for Tunisia
- Workplan of Activities
- Activity Progress Report

STEERING COMMITTEE

USEFUL LINKS

- South Programme Website
- North South Centre (CoE)
- EU delegation in Morocco
- EU delegation in Tunisia

MEDIA CORNER

- Past activities
- Photo Gallery

The joint programme of the European Union and the Council of Europe "Strengthening democratic reform in the Southern Neighbourhood (South Programme) - Component 2" aims at promoting good governance through increased prevention of corruption and money-laundering in the Southern Neighbourhood (Morocco, Tunisia etc.). It is fully funded by the EU and implemented by the Council of Europe.

The 3-year programme was initiated on the base of many actions led by the international community in support to good governance and promotion of the rule of law following the Arab Spring (2011). Signed on 17 January 2012, the Programme targets public authorities and the civil society to support commitments to reform, on the independence and efficiency of the judiciary, corruption and human trafficking and to promote human rights and democratic values. The component 2 of the Programme aims at the implementation of high-standards for democratic governance to fight corruption, money-laundering and terrorism financing. It responds to a high level priority of all countries in the region, the European Union and the Council of Europe.

Middle East and North Africa (MENA) region has manifested in many occasions the interest in strengthening cooperation with the Council of Europe to combat corruption and money-laundering. Therefore the programme is expected to

At the occasion of a Colloquium held on 14 December 2012 and organised by the Tunisian Ministry of Justice dedicated to the Recovery of Stolen Assets by former president Ben Ali, the Economic Crime Cooperation Unit was invited to introduce in plenary meeting the methodologies of the CoE to combat corruption and presented an example of good practice of technical cooperation on asset recovery, and that was the project in Serbia (CAR Serbia).

At the occasion of the Colloquium, additional networking was established with different and potential beneficiaries as well as other contacts were established with the representatives of the UNDP especially aimed at avoiding duplication of efforts and to prepare for the future's coordination.

8. UPDATED WORKPLAN AND CALENDAR OF ACTIVITIES

8.1 Morocco's Workplan of Activities

Activities	Beneficiary Organisation(s)/Institution(s)
Expected Result 1: Assessment of the legal and institutional framework on basis of the GRECO methodology is initiated and aimed at providing recommendations and policy direction in the area good governance and fight against corruption	
Activity 1.1 Introduction to GRECO methodologies increasing the capacities in implementing European standards, monitoring tools and networking opportunities	<ul style="list-style-type: none"> ▪ Instance Centrale de Prévention de la Corruption (ICPC); ▪ Unité de Traitement du Renseignement Financier (UTRF); ▪ Ministère de l'Intérieur – Inspection Générale de l'Administration Territoriale (IGAT); ▪ Ministère de l'Intérieur – Direction Nationale de la Sureté Nationale (DNSN); ▪ Ministère de la Justice et des Libertés – Direction des affaires pénales et des grâces (MOJL); ▪ Ministère de la Fonction Publique et de la Modernisation de l'Administration (MFPMA); ▪ Association des barreaux du Maroc (ABM); ▪ Confédération Générale des Entreprises du Maroc–Commission d'Ethique et Déontologie (CGEM-CED).
Activity 1.2 Drafting and presentation of the Assessment Questionnaire at the occasion of a training seminar	All Relevant Institutions (same as above)
Activity 1.3 Launch of the assessment process (on-site visits by the experts team consisting of 6 experts appointed	Instance centrale de prévention de la corruption/ All Relevant Institutions (Ministry of Interior, MOJL, Ministry of Economy and Finances and

Activities	Beneficiary Organisation(s)/Institution(s)
by the Council of Europe and 2 Moroccan experts)	MFPMA)
Activity 1.4 Discussion of the draft report with stakeholders	Instance centrale de prévention de la corruption/ All Relevant Institutions / Civil Society
Activity 1.5 Finalisation of the report and drafting of recommendations	Instance centrale de prévention de la corruption/ All Relevant Institutions
Activity 1.6 Presentation of the results and recommendations at the occasion of a plenary session with the administration, parliamentarians, judiciary, the civil society and international partners	Instance centrale de prévention de la corruption/ All Relevant Institutions / Parliamentarians/ Judges/ Civil Society
Activity 1.7 Publication of the report and recommendations	All Relevant Institutions
Expected Result 2: Increased capacities on legislative reforms through legal advice and legal drafting concerning administration institutions through knowledge sharing of good practices and cooperation with civil society	
Activity 2.1 Provide legal advice and analysis in the context of the drafting of the Law of the future "Instance nationale de probité, de prévention et de lutte contre la corruption" and other provisions of the regulatory framework associated	Instance centrale de prévention de la corruption
Activity 2.2 Provision of a training programme on the design and implementation of dispositions on deontology in the public sector, in the private sector and conflict of interests	Confédération Générale des Entreprises du Maroc (CGEM)
Activity 2.3 Provision of a training on the methodology on corruption proofing of legislation	Ministry of Justice/ Parliamentarians

Activities	Beneficiary Organisation(s)/Institution(s)
<p>Activity 2.4</p> <p>Supporting the ICPC in its advisory role on the national dialogue concerning the reform of justice sector</p>	Instance centrale de prévention de la corruption
<p>Expected Result 3:</p> <p>Available policy advice and sector risk analysis to relevant institutions concerning good governance and corruption prevention tools / methodologies.</p>	
<p>Activity 3.1</p> <p>Organisation of one or two technical workshop addressed to relevant institutions dedicated to the review of the results of the risks analysis in the sector of health and transportation</p>	Ministry of Health/ Ministry of Transport/ Instance centrale de prévention de la corruption
<p>Activity 3.2</p> <p>Carrying out two Analyses of the risks in sectors that are the most exposed to the corruption risks for chosen administrations/private sector</p>	Instance centrale de prévention de la corruption/ All Relevant Institutions
<p>Activity 3.3</p> <p>Provision of tools (objectively verifiable indicators) and methodologies and exchange of good practice on the conception and the implementation of strategies and policies anti-corruption and combating economic crime, including the follow-up of the level of implementation</p>	Ministère de la Fonction Publique et de la Modernisation de l'Administration (MFPMA)
<p>Activity 3.4</p> <p>Conference on exchange of good practice with European parliamentarians of those commissions involved in the drafting of legislation and those of monitoring the implementation of anti-corruption policies and strategies</p>	Association marocaine de lutte contre la corruption
<p>Expected Result 4:</p> <p>Provision of training, modules and awareness raising for those relevant institutions and civil society groups in the area of good governance and fight against corruption and economic crime.</p>	

Activities	Beneficiary Organisation(s)/Institution(s)
<p>Activity 4.1</p> <p>Organisation of a certified training and delivery of a module on guidelines concerning the design, implementation and performance evaluation of anti-corruption and good governance policies for the public sector</p>	Ministère de la Fonction Publique et de la Modernisation de l'Administration (MFPMA)
<p>Activity 4.2</p> <p>Organisation of a certified training and delivery of a module on guidelines concerning the design, implementation and performance evaluation of anti-corruption and good governance policies for the private sector</p>	Confédération Générale des Entreprises du Maroc (CGEM)
<p>Activity 4.3</p> <p>Conference of multi-stakeholders including public/private sector and the civil society on the guidelines concerning the design , implementation and performance evaluation of anti-corruption and good governance policies</p>	Instance centrale de prévention de la corruption/ Civil Society
<p>Activity 4.4</p> <p>Organisation of a certified training on the basic elements of the fight against corruption and its institutional and legal aspects for public officials</p>	Ministère de la Justice et des Libertés (MOJL) / Ministry of interior (MoI)
<p>Activity 4.5</p> <p>Training of trainers on criminal law proceeding on infractions concerning economic crime for the law enforcement agents or and other relevant agencies</p>	Judges / Unité de Traitement des Renseignements Financiers (UTRF)
<p>Activity 4.6</p> <p>Training of trainers on administrative inquiries on corruption cases or/and other administrative violations for the law enforcement agents or and other relevant agencies</p>	Ministry of interior (MoI)/Ministère de la Fonction Publique et de la Modernisation de l'Administration (MFPMA)

8.2 Tunisia's Workplan of Activities

Activities	Beneficiary Organisation(s)/Institution(s)
Expected Result 1: Assessment of the legal and institutional framework on basis of the GRECO methodology is initiated and aimed at providing recommendations and policy direction in the area good governance and fight against corruption	
Activity 1.1 Introduction to GRECO methodologies increasing the capacities in implementing European standards, monitoring tools and networking opportunities	<ul style="list-style-type: none"> ▪ Ministère de la gouvernance et de la lutte contre la corruption (MGLC); ▪ Ministère de l'Intérieur (MoI); ▪ Ministère de la Justice (MoJ); ▪ Instance nationale de Lutte contre la Corruption (INLUCC); ▪ Ordre national des Avocats de Tunisie; ▪ Ordre des Experts Comptables de Tunisie; ▪ Assemblée nationale Constituante (ANC); and ▪ Alliance Tunisienne pour l'Intégrité et la Transparence (ATIT).
Expected Result 2: Increased capacities on legislative reforms through legal advice and legal drafting concerning administration institutions through knowledge sharing of good practices and cooperation with civil society	
Activity 2.1 Provision of good practices and European models for Editorial Committees of Ministry of Governance and Tunisian Bar Association on issues related to codes of ethics	Ministry of Governance (MoG) Ordre national des Avocats de Tunisie
Activity 2.2 Increasing capacities in implementing international law standards when reviewing and improving current national legislation in the area of corruption and economic crime	Ministry of Governance (MoG) Ministère de la Justice (MoJ); / Assemblée nationale Constituante (ANC)
Activity 2.3 Provision of legislative advise and legal drafting reviews in support of the drafting of the future Anti-corruption Law	Ministry of Governance
Activity 2.4 Raising awareness of the Parliamentarians concerning implementation of Anti-corruption international standards on financing of political	Assemblée nationale Constituante (ANC)

Activities	Beneficiary Organisation(s)/Institution(s)
parties through the exchange of good practices with international partners.	
Expected Result 3: Available policy advice and sector risk analysis to relevant institutions concerning good governance and corruption prevention tools / methodologies.	
Activity 3.1 Strengthening of the capacities of the National Instance for the fight against Corruption (INLUCC) through sharing of information and good practices as well as establishment of professional networks with homologue institutions in Europe	Instance nationale de Lutte contre la Corruption (INLUCC)
Activity 3.2 Provision of assistance on introducing internal rules concerning the instance's status of the staff and their role and internal rules in managing and processing cases as well as safeguarding confidentiality and secrecy of cases	Instance nationale de Lutte contre la Corruption (INLUCC)
Activity 3.3 Providing tools and methodologies as well as capacity building in support to the design of three major Sector Analysis (i.e. customs, tax administration and Property administration) to be carried out by the respective good governance and Anti-corruption units (Cellules de Bonne Gouvernance et de Lutte Contre la Corruption)	Good Governance and Anti-corruption Units Ministry of Governance / other relevant Ministries
Expected Result 4: Provision of training, modules and awareness raising for those relevant institutions and civil society groups in the area of good governance and fight against corruption and economic crime.	
Activity 4.1 Specialised and multi-disciplinary training for INLUCC staff to carry out administrative inquiries (or criminal investigations related) concerning economic crime and corruption related-cases.	Ministry of Justice, Ministry of Interior, Instance nationale de lutte contre la corruption (INLUCC)
Activity 4.2 Multi-disciplinary training of trainers aimed at strengthening capacities of the private attorneys and agents of the law (<i>Auxiliaires de Justice</i>) ie. Court Experts when dealing with the detection of corruption and conflict of interests	Lawyers, Chartered Accountants, Agents of the law

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SOUTH PROGRAMME: “Strengthening democratic reform in the Southern neighbourhood”

9. CALENDAR OF ACTIVITIES: MOROCCO AND TUNISIA

Description of activities		2012				2013				2014			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Inception Phase (6 months)													
0.1	Recruitment of the Programme Coordinator			1 July									
0.2	Drafting of the Inception Report and logical frame		X	X									
0.3	Start-up missions	14-15 Feb		17-20 April	27-29 Sept 10-14 Dec								
0.4	Programme Kick-off meeting			7 Sept									
0.5	Finalisation of the Inception Report (4 components)			28 Sept									
Expected Result 1: Recommendations and policy advice in the area good governance and fight against corruption are made available following assessment of the legal and institutional framework on basis of the GRECO methodology.													
M.1.1	Introduction to GRECO methodologies increasing the capacities in implementing European standards, monitoring tools and networking opportunities				17-18 oct								

Description of activities		2012				2013				2014			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
M.1.2	Drafting and presentation of the Assessment Questionnaire at the occasion of a training seminar					X							
M.1.3	Launch of the assessment process (on-site visits by the experts team consisting of 6 experts appointed by the Council of Europe and 2 Moroccan experts)						X	X					
M.1.4	Discussion of the draft report with stakeholders							X					
M.1.5	Finalisation of the report and drafting of recommendations								X				
M.1.6	Presentation of the results and recommendations at the occasion of a plenary session with the administration, parliamentarians, judiciary, the civil society and international partners								X				
M.1.7	Publication of the report and recommendations									X			
T.1.1	Introduction to GRECO methodologies increasing the capacities in implementing European standards, monitoring tools and networking opportunities									X			

Description of activities		2012				2013				2014			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Expected Result 2: Increased capacities on legislative reforms through legal advice and legal drafting concerning administrative structures through knowledge sharing of good practices and cooperation with civil society.													
M.2.1	Provide legal advice and analysis in the context of the drafting of the Law of the future "Instance nationale de probité, de prévention et de lutte contre la corruption" and other provisions of the regulatory framework associated				X	X	X	X	X	X	X	X	X
M.2.2	Provision of a training programme on the design and implementation of dispositions on deontology in the public sector, in the private sector and conflict of interests								X	X	X	X	X
M.2.3	Provision of a training on the methodology on corruption proofing of legislation						X	X	X	X	X	X	X
M.2.4	Supporting the ICPC in its advisory role on the national dialogue concerning the reform of justice sector				X	X	X	X	X	X	X	X	X
T.2.1	Provision of good practices and European models for Editorial Committees of Ministry of Governance and Tunisian Bar Association on issues related to codes of ethics						X						

Description of activities		2012				2013				2014			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
T.2.2	Increasing capacities in implementing international law standards when reviewing and improving current national legislation in the area of corruption and economic crime						X	X	X	X	X	X	X
T.2.3	Provision of legislative advise and legal drafting reviews in support of the drafting of the future Anti-corruption Law						X	X	X				
T.2.4	Raising awareness of the Parliamentarians concerning implementation of Anti-corruption international standards on financing of political parties through the exchange of good practices with international partners.						X			X			
Expected Result 3: Available policy advice and sector risk analysis to relevant institutions concerning good governance and corruption prevention tools/methodologies.													
M.3.1	Organisation of one or two technical workshop addressed to relevant institutions dedicated to the review of the results of the risks analysis in the sector of health and transportation					X							
M.3.2	Carrying out two Analyses of the risks in sectors that are the most exposed to the corruption risks for chosen administrations/private sector								X				

Description of activities		2012				2013				2014			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
M.3.3	Provision of tools (objectively verifiable indicators) and methodologies and exchange of good practice on the conception and the implementation of strategies and policies anti-corruption and combating economic crime, including the follow-up of the level of implementation						X						
M.3.4	Conference on exchange of good practice with European parliamentarians of those commissions involved in the drafting of legislation and those of monitoring the implementation of anti-corruption policies and strategies									X			
T.3.1	Strengthening of the capacities of the National Instance for the fight against Corruption (INLUCC) through sharing of information and good practices as well as establishment of professional networks with homologue institutions in Europe					X	X						
T.3.2	Provision of assistance on introducing internal rules concerning the instance's status of the staff and their role and internal rules in managing and processing cases as well as safeguarding confidentiality and secrecy of cases						X	X	X	X	X	X	X

Description of activities		2012				2013				2014			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
T.3.3	Providing tools and methodologies as well as capacity building in support to the design of three major Sector Analysis (i.e. customs, tax administration and Property administration) to be carried out by the respective good governance and Anti-corruption units (Cellules de Bonne Gouvernance et de Lutte Contre la Corruption)						X	X					
Expected Result 4: Provision of training, modules and awareness raising for those relevant institutions and civil society groups in the area of good governance and fight against corruption and Economic Crime.													
M.4.1	Organisation of a certified training and delivery of a module on guidelines concerning the design, implementation and performance evaluation of anti-corruption and good governance policies for the public sector					X							
M.4.2	Organisation of a certified training and delivery of a module on guidelines concerning the design, implementation and performance evaluation of anti-corruption and good governance policies for the private sector						X						
M.4.3	Conference of multi-stakeholders including public/private sector and the civil society on the guidelines concerning the design , implementation and performance evaluation of anti-corruption and good governance policies							X					

Description of activities		2012				2013				2014			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
M.4.4	Organisation of a certified training on the basic elements of the fight against corruption and its institutional and legal aspects for public officials							X					
M.4.5	Training of trainers on criminal law proceeding on infractions concerning economic crime for the law enforcement agents or and other relevant agencies							X					
M.4.6	Training of trainers on administrative inquiries on corruption cases or/and other administrative violations for the law enforcement agents or and other relevant agencies									X			
T.4.1	Specialised and multi-disciplinary training for INLUCC staff to carry out administrative inquiries (or criminal investigations related) concerning economic crime and corruption related-cases.						X	X	X	X	X	X	X
T.4.2	Multi-disciplinary training of trainers aimed at strengthening capacities of the private attorneys and agents of the law (Auxiliaires de Justice) ie. Court Experts and lawyers when dealing with the detection of corruption and conflict of interests						X	X	X	X	X	X	X

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SOUTH PROGRAMME: “Strengthening democratic reform in the Southern neighbourhood”

10. LIST OF ANNEXES

- SNAC Morocco (Activity M1.2): Terms of reference of the assessment of the Anti-corruption framework in Morocco.

MAE responsible for the Component: DGI-Action against Crime Department/Economic Crime Cooperation Unit

Name of the contact person for the Component: Ardita ABDIU / Guillaume PARENT

Signature: N/A

Location: Strasbourg

Date report due: 10 January 2013

Date report sent: 16 January 2013

Programme *Strengthening democratic reform in the southern Neighbourhood*
Project *Good governance and the fight against corruption and money-laundering*
(SNAC Morocco)

Diagnostic of the Anti-Corruption framework (Terms of Reference)

(Version of 8 January 2013)

1. Scope

These Terms of Reference (ToR) set out the modalities of the diagnostic to be carried out under the Project against Corruption in Morocco.

2. European standards

The diagnostic will review the status in Morocco with regards to the following standards:

- Twenty Guiding Principles for the Fight against Corruption (Resolution (97) 24);
- Criminal Law Convention on Corruption (ETS No. 173) and its Additional Protocol (ETS No. 191);
- Civil Law Convention on Corruption (ETS No. 174);
- Recommendation on Codes of Conduct for Public Officials (CM Recommendation No. R (2000) 10);
- Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns (CM Rec(2003)4).

3. Stakeholders

An expert team will be formed for the respective Programme component and will undertake the work to revise and assess the regulatory and institutional framework in Morocco, identify gaps and provide recommendations.

3.1. Expert team

3.1.1. Composition

The expert team shall consist of eight members. The experts are to be selected based on terms of reference for short term expertise, prepared by the Council of Europe. The composition may include one key expert, up to six international experts and two local experts.

The work of the expert team can be complemented by additional Council of Europe experts when and if necessary at any stage of the diagnostic.

3.1.2. Independence

All members of the expert team, particularly the local ones, are not subject to any directive concerning their findings, neither from the Project nor from any authority, and are in this sense independent.

3.1.3. Key experts

A key expert is responsible of the expert team. He/she coordinates the roll-out of the diagnostic within the team in line with the timetable and the diagnostic methodology.

3.2. Project team

Project staff, supported by Council of Europe Headquarter in Strasbourg, contributes to the diagnostic as follows:

- Function as secretariat of the expert team.
- Support the expert team in organising and carrying out the diagnostic.
- Support the institutions in Morocco in enhancing their reporting capacities in line with the diagnostic methodology.
- Support the institutions in Morocco in developing mechanisms of researching, collecting and processing of data necessary for the reporting on anti-corruption reforms.
- Ensure a unified understanding of the diagnostic approach, and recommendations of the diagnostic report.
- Publish, translate, disseminate and make awareness of the diagnostic and progress reports in French and Arabic languages.

3.3. Local coordinators

The Anti-corruption Agency in Morocco, *Instance centrale de prévention de la corruption* (ICPC) will coordinate the diagnostic (flow of substance information, on-site visits, identification of interview partners, and the plenary sessions etc.). It will coordinate and ensure communication and support of the diagnostic.

3.4. Preliminary list of Counterparts and beneficiaries in Morocco

All institutions in Morocco are potentially beneficiaries of the diagnostic. The following counterparts in Morocco – including above mentioned local coordinator – will provide information and documents in answer to the questionnaires and interviews during the diagnostic process, supported by the Project team, in particular, but not limited to:

3.4.1. Anti-corruption Agency in Morocco (ICPC)

3.4.2. Financial Intelligence Unit (UTRF)

3.4.3. Ministry of Interior

3.4.4. Ministry of Justice and Liberties

3.4.5. Ministry of Public Administration (MFPMA)

3.4.6. Ministry of Finances

3.4.7. Central Bank

3.4.8. Parliament

3.5. Private sector and Civil society

The expert team would seek to carry out interviews with the private sector and civil society (organisations) during the on-site visits. The participation of representatives of civil society will be considered whenever seen fit (workshops etc.).

3.6. International organisations

The international organizations with a role in rule of law, justice and home affairs and combating corruption, money laundering and terrorism financing in Morocco will be encouraged to provide information for the purposes of the diagnostic.

4. Timetable

The diagnostic follows the below timelines:

Commencement Phase	<ul style="list-style-type: none">- Commencement phase: Q1 2013- Adoption of Terms of Reference and Launching Conference: March 2013
Diagnostic	<ul style="list-style-type: none">- Questionnaire sent out: Q2 2013- Institution's reply to questionnaire: Q2 2013- On-site visit: Q3 2013- Plenary session: Q4 2013- Publication: Q1 2014

5. Diagnostic

The process will follow the overall approach taken by GRECO in conducting such exercises, but will be tailored to the specific purposes of the project, with an emphasis on priority and high-risk areas and local ownership of outcomes.

5.1. Questionnaire

A written questionnaire based on existing European standards (see above no. 2) and GRECO² methodology is prepared and adopted by Council of Europe Secretariat. The Project will provide for an introduction to authorities in Morocco on data collection, reporting, and questionnaire replies.

5.2. Answers

The answers to the questionnaire are prepared by way of self-assessment of each relevant institution. These self-assessments are subsequently integrated by the ICPC and presented to the team. Authorities in Morocco may hold coordination meetings to discuss the relevance of produced and outstanding information, and to bring information and answers into cross-sector agreement. Answers are submitted in writing. Answers should be accompanied by the relevant regulatory and other documents, as well as statistical information.

Based on the answers received, members of the expert team can direct additional questions to representatives of institutions in Morocco before and after the on-site visit.

5.3. On-site visits

The expert team will carry out on-site visits of about one week duration, in order to interview representatives on the implementation of international standards. The expert team will coordinate the timetable of their on-site visit with the liaison structure (ICPC).

5.4. Communication

Members of the expert team can direct questions at representatives of institutions in Morocco before and after the on-site visit. All communication is coordinated through the Project and with ICPC, in particular by copying/informing ICPC.

² GRECO – Group of States against Corruption - a monitoring body of the Council of Europe which aims to improve its members' capacity to fight corruption by monitoring the compliance of States with their undertakings in this field.

5.5. Report

The report contains:

- Summary;
- Description of the current situation;
- Analysis (diagnosing the current framework against all relevant European standards);
- Recommendations on regulatory, institutional, and policy related areas (indicating short-term, medium-term, and long-term timeline); and
- Approximation matrix (a table with the standards in one column, a short description of their implementation/citation of the respective local framework in a second column, and an indicator of the status of approximation “yes/no/partial”).

6. Implementation

The counterparts in Morocco will consider the recommendations, and for their implementation will review and reform legislation, the institutional framework and policies. The Project will support the process of data collection and reporting on the status of implementation.

7. Working language and translations

The report will be translated and published in Arabic and French languages. Translation and interpretation during the diagnostic will be provided by the Project. The working language of the diagnostic will be French and English.

8. Confidentiality

Information gathered by the expert team in relation to the diagnostic, including replies to the questionnaire, shall remain confidential, unless decided otherwise according to no. 9. The same shall apply to all considerations among the team members.

9. Acceptance and endorsement

The diagnostic report will be adopted in plenary sessions by the expert team and endorsed finally by the authorities in Morocco. All above mentioned stakeholders (see above at no. 3) and representatives of civil society are invited to be present at the plenary as observers, and provide feedback and comments. The publication of the report is intended, and will be done so in agreement with the agreement of the authorities in Morocco. The decision to publish the report will be communicated by the ICPCP no later than 3 weeks after the adoption of the report in plenary sessions.