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Description of Questionnaire for the Anti-corruption (AC) component

PECK – Project against Economic Crime in Kosovo¹

1. Introduction and purpose of the questionnaire

The questionnaire is the principal tool in the assessment process to gather initial information about the regulatory and institutional framework of Kosovo. This information forms the basis of the assessment and is used by the experts team to form a comprehensive understanding of the measures in place and their effectiveness, draft initial findings, and identify problem areas and other issues to be further discussed in the course of the on-site visit.

2. Nature and scope of questions.

The questionnaire is based on the international and European anti-corruption standards, with primary emphasis on the GRECO methodology, including the Criminal Law Convention on Corruption (ETS No.173), the Council of Europe Committee of Ministers Recommendation (2003)⁴ on common rules against corruption in the funding of political parties and electoral campaigns.

The questionnaire deals with a range of key areas relevant to the anti-corruption regime. The first thematic section deals with fundamental safeguards and corruption prevention for judicial and prosecutorial authorities, police, members of parliament and in the public administration, measures to ensure transparency of political party financing and public procurement. The second section is devoted to issues of criminalization and sanctions, including those for legal persons, investigation and criminal and confiscation procedures, as well as the issue of immunities from prosecution. The final section is devoted to legal and procedural mechanisms for international cooperation. The majority of questions are cross-sectoral and therefore require multi-agency input.

The questionnaire and the assessment exercise in general do not focus solely on measures that are in place at a given time, but also aim to solicit information on planned regulatory and institutional changes in Kosovo.

3. Next steps

The Project will include an explanatory seminar for authorities in Kosovo on the details and techniques for filling out the questionnaire in May 2012. The questionnaire will be subsequently submitted to the authorities in Kosovo in the end of May - early June with a two month deadline for submission of responses.

¹ All reference to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nation's Security Council Resolution 1244 and without prejudice to the status of Kosovo