



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Crime Problems Department
Directorate General I – Legal Affairs
30 May 2005

Programme against Corruption and Organised Crime in South-eastern Europe (PACO)
Implementation of Anti-corruption Plans in South-east Europe (Impact)

**ADVISORY PAPER:
COMMENTS ON THE DRAFT OF ANTI-CORRUPTION PLAN FOR KOSOVO**

By:

Mr Drago Kos, Slovenia

Ms Kristina Hemon, United Kingdom

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For any additional information please contact:

Council of Europe, Crime Problems Department
Directorate General I – Legal Affairs
67075 Strasbourg CEDEX, France
Tel +33-3-8841-2354 / Fax +33-3-8841-3955
e-mail ardit.abdiu@coe.int

The views expressed in this technical paper are solely those of the experts' one and do not necessarily reflect official positions of the Council of Europe

This paper represents the Council of Europe expert's opinion on the Draft Action Plan against Corruption of Kosovo (April 2005 version). The Draft Action Plan has been subsequently drafted after the adoption of the Anti-corruption Strategy of Kosovo by the Kosovo' PISG as of May 2004. However, both these two documents have been so far discussed and launched within the working groups composed of different institutional representatives mainly from PISG authorities and UNMIK representatives.

1 INTRODUCTION

Action plans are very important tools for the implementation of different strategies - Strategies are usually documents on a very high strategic level, incorporating general descriptions and goals of a strategic nature, which do not change very often and very soon. They show more or less the political orientation in a specific field of an authority which adopted them, its willingness to act and its desire to bring in major changes in the specific area of life. Concrete goals of these strategies, responsible institutions, time-limits, risks and success factors are usually given in different operational documents - easy to change and easy to adopt but also easy to monitor. Through the implementation of an action plan the strategy is implemented, too.

On the basis of the results achieved in the drafting and in the implementation of an action plan real intentions of the authority, which adopted the strategy, are easily verifiable. If the action plan does not represent a logical but very concrete continuation of a strategy, if general aims of the strategy can not be easily identifiable in its implementation document and if general tasks given in a strategy do not serve as starting points for the action plan, it is difficult, even almost impossible to make a conclusion that the authors of any of a mentioned documents were and are really willing to change anything. Therefore, the link between the strategy and its implementation document has to be strong, visible and consistent. Otherwise, none of the documents has a real meaning, it will not change anything and all the expenses and energy used for their drafting were wasted.

Since representatives of both administrations in Kosovo – the PISG and UNMIK – during very intensive work on the first anti-corruption documents in this region--have agreed on number of measures needed joint efforts will have to continue. It is normal that in the process of drafting concrete and very detailed measures some differences might and did appear but this is just additional challenge. Having in mind highly sensitive nature of the documents and of the region complete agreement on the texts and on their meaning will have to be achieved.

2 THE DRAFTS OF KOSOVO'S ANTI-CORRUPTION STRATEGY AND ACTION PLAN

Unfortunately, some of the concerns expressed above come into life when analysing and discussing the Kosovo Anti-Corruption Strategy and its implementation document – "Anti-Corruption Action Plan".

2.1 THE KOSOVO ANTI-CORRUPTION STRATEGY

First of all, legally there is no document as the "Kosovo Anti-Corruption Strategy". There is only one document that has been under discussion as a launched proposal, which yet has to be submitted for the approval of the Assembly of Kosovo. In Chapter VII "Implementation of the Strategy" it is clearly stated that the strategy has to be adopted by the Assembly. That means: if there is no adoption by the Assembly – there is no Kosovo Anti-Corruption Strategy. All implementation measures are linked to this very important step in the fight against corruption in Kosovo. Without adoption in the Assembly dead-lines for different activities will not start and there simply won't be any chance to assess the success in the implementation of the strategy. So, in order to avoid these negative consequences, the Assembly of Kosovo will have to be put in the position to decide on the adoption of a draft Kosovo Anti-Corruption Strategy as soon as possible. Otherwise the text of the draft strategy will have to be accordingly changed.

Concerning the text of the draft Action Plan of the draft Strategy is very clear: it says that "within 6 months of the adoption of the strategy, the Government of Kosovo shall adopt a special Action plan for the implementation of the Kosovo Anti-Corruption Strategy, which, in accordance with the anticipated measures arising from chapter VI, the "Prevention and suppression of corruption in Kosovo", determines: the objectives of the measures, methods and expected results, the implementing agencies, the dead-lines for their realisation, risk factors and success indicators". Therefore it was expected that the action plan will strictly follow 151 measures given in chapter VI of the draft strategy. But this is not the case – except some substantial issues there are no clear links between the draft strategy and the draft action plan. Moreover, they can be considered as two completely independent documents. Of course, that gives rise for a set of different questions, especially for one: what is the aim of an action plan, which introduces its own anti-corruption measures not foreseen in the draft strategy and forgets to implement whole series of measures mentioned in the draft strategy? In such a way the coherent and efficient anti-corruption legal set-up, which is very normal and logical in other countries does not exist in Kosovo.

2.2 THE ACTION PLAN

The draft action plan doesn't have any general explanatory or narrative parts, it is given exclusively in a form of matrix, which consists of the following elements: running numbers,

measures (which, as said already, are only partly measures given in the draft strategy), responsible/cooperative institutions, timelines, challenges, competence and indicators of success. It is obvious that structurally the draft action plan is following the instructions given by the draft strategy but this is not the case substantially. Even chapters of the draft action plan are different than sub-chapters in chapter VI. of the draft strategy. Therefore it is not possible to assess to which extent the text of a draft strategy will really be implemented through the draft action plan, it is not clear if the general principles, pre-conditions, goals and other features of the draft strategy are also used for the draft action plan.

What can be done at present it is just the assessment of different measures given in the draft action plan but this will only partly bring any results. A very strong proposal has to be given to the PISG and that is to completely restructure the draft action plan using the structure of chapter VI and substantial measures given in the draft strategy.

Another important proposal has also to be given and that is to assess again how appropriate the timelines given in the draft action plan are – it is not possible to avoid the feeling that the timelines given are in general too short and that it is not realistic that they can be fully respected.

3 SPECIFIC COMMENTS ON THE DRAFT OF KOSOVO ACTION PLAN

The Comments below are given only in relation to measures where there is a need to give suggestions or recommendations. Where there was no such need the measure is not mentioned at all. But the general remark given above on the appropriate timelines for all measures given in the draft action plan stays.

In order to avoid unnecessary duplications only numbers of the measures described are given if there is no need to comment specifically on the text of the measure foreseen.

3.1 SPECIFIC ANTI-CORRUPTION MEASURES

I.1

The substance of the law as foreseen is not broad enough – beside the existing law (which was not yet promulgated by the SRSG) on the prevention of corruption in Kosovo the substance of an additional law will have to cover several other topics not only the Kosovo Assembly's supervision upon KACA's functioning. The wording used could be, (i.e., regulating the position, powers and responsibilities of KACA).

I.2

The problem, which arises here, is the problem of competence: the position of KACA and its relations to other institutions are asking for a "mixed" competence and not for a "transferred" one. As a general suggestion--for the whole text of the draft action plan--would be that PISG and UNMIK jointly review again the text as it concerns the division of competencies throughout the whole list of measures and to agree on still remaining unclear and open issues.

I.3

The problem here related to the substance of the measure is a direct consequence of problems mentioned in the introductory part of this expertise: how can KACA draft a report for the Assembly on anti-corruption strategy if:

- the Assembly has not approved the draft strategy; and
- there is no direct link between the draft strategy and the draft action plan (will KACA report on the implementation of the strategy, which was not adopted yet or on the implementation of the action plan, which will be adopted by the Kosovo government)

Furthermore, how can Assembly approve the report on the implementation of strategy ("indicators of success") if it didn't approve the draft strategy?

There is only one solution for that: Kosovo assembly has to approve the draft strategy before the action plan will be adopted.

I.4

Concerning the substance: integrity tests are a useful preventive measure but before conducting them a detailed legislation/rules have to be adopted, containing at least conditions for the use of this method: rights of the persons tested and transparently by describing also consequences of different results of these integrity tests.

As it concerning timelines and in order to monitor the implementation of the tasks foreseen the "semi-annual review" is not enough – such monitoring and review should be done on regular basis.

I.5

Concerning substance there are two different measures in this sub-chapter-analysis of corruption and those related to secondary legislation (it is even not clear what has to be done with the secondary legislation) as well as the actions that have to do with the *acquis communautaire*. It is strongly recommended to separate the part on the *acquis communautaire* as a separate sub-chapter with relevance to implementation of specific measures in line with such standards.

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Concerning responsible/cooperative institutions it also would be useful and necessary to describe the way of involvement of civil society in such actions as well.

I.6

It would be much better if word "making" in the "indicators of success" would be replaced by "implementing".

I.7

It makes much more sense if the wording "inclusion of anti-corruption provisions" is replaced by "mandatory inclusion of anti-corruption clause". As it concerns the timelines, it is suggested that such actions be considered as regular task, and not end in December 2005.

I.8

Since transparency is one of the most important pre-requisites for the fight against corruption this measure will have to be very carefully implemented. In addition it is recommended to insert words "substantial and formal" before the text "criteria for types". Also, in the "indicators of success" it would be useful to replace the word "lists" by "catalogues".

More broadly, consider applying standards set in the Council of Europe's Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and the Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, regarding supervisory authorities and trans-border data flows, which regulate data protection, management, and exchange in the EU.

3.2 ANTI-CORRUPTION LEGISLATIVE MEASURES (CHAPTER II)

II.1

If a special anti-corruption law is foreseen here than it makes no sense to have a special and very narrow law mentioned in I.1. The substance of both proposals can be and should be covered by only one law dealing with substantive matters (mentioned here) and with formal matters (mentioned in I.1.).

It would be also useful to explain what does the wording "publicizing most serious violations of the law" mean: what is "most serious", which law is referred here – the penal or also the civil one? When to publish the texts, by whom, in which form and where? Should this become part of any legal (the criminal or the civil one) procedure, then the relevant legislation will have to be changed accordingly.

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After "nepotism" also "favouritism" should be mentioned and a new line should be added – "prohibition of revolving doors (pantouflage)".

II.2

This item calls for an adoption and supervision of extra-budgetary funding for public administration; more specifically it calls for auditing procedures for such funding. For the purpose of efficient resources management and sustainability of budget transparency measures, it is recommended to consider introducing internal audit mechanisms in all governance institutions as an integral part of preparing annual financial report and/or task Auditor General with regular audits of extra-budgetary funding for public administration.

II.3

The description of the obligation in the substantive part is too general: what does "periodical assessments on corruption combating and prevention" mean? It is strongly recommended to add some clarifying elements to the obligation described.

II.4

The substantive part should be completed by "financing of elections", too. Rules on the financing of elections have to be basically based on the some principles as the rules on financing of political parties. Otherwise serious discrepancies might occur between the regular and the election activities of political parties.

II.5

Similar to item II.1. which calls for adoption on an anti-corruption law addressing publicization of the most serious violations of the law; nepotism in recruitment and other activities; conflicts of interest; offering/accepting gifts in public administration; categories of gifts; an obligation to report them to PISG and publishing a catalogue; and a compulsory reporting of civil servants' corruption cases by governmental bodies, item II.5. calls for declaration of "financial situation of election candidates and holders of public posts. Given that the substance of measures in both items can be covered, and usually is, by one law, it is recommended that one comprehensive law (*be it an anti-corruption law or conflict of interest law mentioned later in the matrix*) be adopted rather than several partial pieces of legislation.

In addition, item II.5. also calls for an adoption of legislation that would prescribe "declaration of financial situation of election candidates and holders of public posts". This obligation is known to be "declaration of assets for elected and public officials, as well as managers and directors of public utilities." The change of terminology in this regard is also recommended.

II.6

Concerning "indicators of success" as used in this section, it is suggested that it is not the fact of publication of the analysis that shall indicate a result or a success/failure but the data changes on the basis of the analysis made after they have been released or published and their comparative overview with regard to previous years may need to be inserted.

II.7

Substance mentioned under "measures" is not substance for bylaws or governmental decrees – it has to be absolved by the law. If so, this part can join the law mentioned in II.1. (also I.1. and II.5.).

It should be stressed again that as far as it concerns "indicators of success" it is not the publication of proposed measures which counts – it is their implementation and how it is foreseen to measure their impact. If the implementation of the measures foreseen is trying to achieve something in the practical terms in order to really improve/reform the existing systems, then the publication itself will not serve to this purpose. Results deriving from the practical implementation can be the only criteria that should be when setting up the indicators of progress/success/or failure.

II.8

It is not clear if the primary legislation on witnesses' and whistleblowers protection already exists? If yes, it would be good to mentioned it somehow in the substantive part. If not, a special law dealing separately with those issues is needed to be foreseen as a part of the reform and measures.

II.9

As it concerns the issue of Conflict of Interests the comments are already provided when discussing the substantive part of the law mentioned in II.1. and therefore does not need to be mentioned here again.

II.13. and II.14

There are not two special laws needed to handle the situation mentioned in both sub-chapters. It is even the question if any new law is needed – if substantive conditions for responsibility of legal persons are dealt with in the Criminal Code and/or in the Code of Criminal Procedure, substance mentioned in II.13. and II.14. could and should be included and/or referred there.

3.3 JUDICIARY MEASURES AND LAW IMPLEMENTATION (CHAPTER III)

III.1

Concerning substantive elements: "appointment, dismissal, background check" are not parts of the rules of ethics in the judiciary. The topics of meritocratic selection, promotion and dismissal of judges are far too important to handle them otherwise than within very clear and strict legal norms. While concerning the indicators of success: results will be achieved when judiciary will implement the advice and not simply when it takes it into consideration. To take something into "consideration" is still not the guarantee that something will really change, as "the consideration" can be there and there might be no changes/reform needed.

III.3

In order to avoid any misunderstandings the word "potential" in the substantive part and in the part on "indicators of success" should be deleted.

III.4

If KACA is established there will be a capacity to monitor property and conflict of interests of judges and public prosecutors. This substantive part would much better read: "Inclusion of judges and public prosecutors in the list of people reporting their financial situation and conflict of interests to KACA".

Alternatively, consider also judicial/prosecutorial councils (I am not sure whether they exist in Kosovo or not. In any case, it would be a body in charge of appointing and dismissing judges and prosecutors) and /or the agency in charge of monitoring the asset declaration and conflict of interests for this task.

III.7

There is absolutely no need to establish a special second-degree tribunal for financial issues. Generally there have to be two levels of decision-making in the public administration and all decisions of the second level authority could be challenged in front of the court.

III.12

If financial operations of every socially owned legal entity will be controlled nobody will be in position to handle it. Maybe additional criteria (i.e. number of employees, economic position, etc.) for the introduction of this obligation could be added. Unconditionally, transparency of the whole procedure has to be mentioned, too.

Finally, there is no mentioning or reference of the role or inclusion of the Ombudsman's Office in the Action-Plan. The role of such an agency in contributing to rule of law in general, and to anti –

corruption effort in particular, cannot be overestimated. It is thus recommended that Ombudsman Office be fully included in the Action Plan.

3.4 PUBLIC ADMINISTRATION REFORMATION MEASURES (CHAPTER IV)

IV.7

Concerning the addressed "challenges", the appointment of persons and/or bodies for managing the lists of received gifts should not lead to the increase in the number of civil personnel.

IV.8

Concerning the addressed "challenges", there are not only political parties, which try to influence the work of SPAC and KIOB but also politicians as such. Therefore, the wording should change into "risk from improper political influence".

IV.9

This item calls for an appointment of anti-corruption advisors in public administrative bodies. For the purpose of internal coherence and consistency of the Action-Plan, one should consider how these advisors would be linked to the Kosovo Anti-Corruption Agency and other bodies involved in fighting corruption; whether the role of such advisors would complement or duplicate already existing authorities and measures; training needs and required skills for the position; and most importantly whether Kosovo budget would be sufficient enough to support this measure.

IV.11

This item calls for a provision of "institutional assistance to officials erroneously accused or who have been affected by undeserving promotions in state administration". It would be of benefit to clarify the language in this paragraph and specify what would an "erroneous accusation" consist of (corruption, misuse of office, conflict of interest or something broader) as well as what kind of "institutional assistance" would be provided for this purpose.

IV.12

In the part on "challenges" it would be better to replace the word "banks" with "financial institutions" since banks are only one form of financial institutions.

3.5 PUBLIC FINANCE AND ECONOMY MEASURES (CHAPTER V)

V.4

This item calls for transparent tendering procedures and terms of reference for public works done by private sector. One should be advised that this measure is usually prescribed by a public procurement law. Therefore it is suggested that one should consider rephrasing the paragraph to

make clear the connection between this measure and public procurement law, as well as the connection with the Kosovo Public Procurement Office.

V.5

Item V.5 calls for a periodical analysis of “procedures for public arrangements, bilateral and multilateral assistance, subsidies, loans or other usages of public funds, emphasizing in particular the frequency of accessing these funds”. Although KACA and Kosovo Assembly have quite appropriately been charged with these tasks, it is recommended to also consider involving the Auditor General with this task.

V.7

In this item it is not clear what is meant by “private societies”, and it should therefore be clarified. In case that NGOs or private companies are meant by this term, it would also be advised to consider whether utilizing internal procedures for reporting alleged corruption cases would impede access to other measures such as access to a public anti-corruption phone number, police, or an independent commission (e.g., Kosovo Anti-Corruption Commission). Duplication of efforts and authorities is an unnecessary drain on scarce resources.

3.6 MEDIA, CIVIL SOCIETY AND PUBLIC PARTICIPATION (CHAPTER VI)

VI.1

This item calls for a role for trade unions and business associations in preventing corruption. Consider improving the indicator of success so to refer to a direct involvement with the Anti-Corruption Commission from the start in order to allow proactive and regular access of the trade unions and business associations to policy makers. As this kind of involvement is referred to in the item VI.8, merging the two items would add to the internal coherence and consistency of the anti-corruption action plan.

VI.2

This item refers to funding of NGOs so to prevent corruption. The NGOs, including their funding, are usually regulated by law on public associations. In case when NGOs receive public funds, they could be, like other public funds recipients, a subject to public procurement law. It is advisable to consider guaranteeing independence as well as transparency of funding for NGOs by relying on the two suggested laws (see Item VI.5.), be it by passing them in case they do not exist or amending them so to address NGOs as well. This would allow for a greater internal coherence and consistency of the Anti-Corruption Action Plan.

VI.3

This item refers to PISG supervising NGO ethical standards as an indicator of success. Given the professed goal of independence of NGOs in the Anti-Corruption Action Plan, it would be advisable to consider charging an independent institution to investigate ethical violations within NGOs, rather than the government which might exert undue influence. Also consider regulating this issue with a law on public associations, unless it has already been done.

3.7 CAPACITY BUILDING AND EDUCATION MEASURES (CHAPTER VII)

There are no comments.

3.8 OTHER MEASURES OF INSTITUTIONAL REFORMS (CHAPTER VIII)

VIII.2

Proposed measure on the adoption of regulation concerning allocation of confiscated assets should be made clearer in the sense that only courts may confiscate assets (not all institutions).

3.9 CONCLUSION

Due to the fact that the draft Action Plan is substantially not following the structure of the draft strategy, not all measures from the draft strategy are handled in the draft Action Plan – the number of measures in the draft strategy is 151 and the number of measures in the draft Action Plan is only 110. That basically means that not all of the measures given in the draft strategy will be implemented. Therefore, the most serious problem of consistency appears which can be solved only through a thorough comparison on measures provided by the draft strategy and by the draft action plan and with the inclusion of all measures provided by the draft strategy into the draft action plan.

The fact that parallel reading of the draft strategy and of the draft Action Plan and their comparison is impossible could cause serious problems in understanding of the general approach of Kosovo towards corruption. If we add the fact that some measures proposed by the draft strategy will obviously remain only on the paper all anti-corruption efforts could become very questionable and doubtful.

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3.10 ANNEX: DRAFT ANTI-CORRUPTION PLAN (VERSION OF APRIL 2005)



UNMIK



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PRIVREMENE INSTITUCIJE SAMOUPRAVLANJA
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URED PRIMJERA
OFFICE OF THE PRIME MINISTER

ZYRA KËSHILLËDHËNËSE PËR QEVERISJE TË MIRË
SAVETODAVNA KANCELARIJA ZA DOBRO UPRAVLJANJE
ADVISORY OFFICE FOR GOOD GOVERNANCE

**ANTI-CORRUPTION
ACTION PLAN (Draft)
Prishtina, 25 April 2005**

*Implementation of National Anti-corruption Plans in SEE (PACO Impact)
A Council of Europe regional project funded by (Sida)*

| NR. | Measures | RESPONSIBLE/ COOPERATIVE INSTITUTIONS | TIMELINES | CHALLENGES | COMPETENCE | INDICATORS OF SUCCESS |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| I. Specific anti-corruption measures | | | | | | |
| I.1. | Establish the Kosovar Anti-Corruption Agency (KACA) and adopt the law regulating Kosovo Assembly's supervision upon KACA's functioning. | OGG, Assembly of Kosovo, ACC, UNMIK. | 06.2005 | Coordination between responsible institutions. | Mixed. | The adoption of KACA legislation. Establishment of KACA. |
| I.2. | Establish KACA's internal procedures, including periodical reporting by agencies implementing anti-corruption measures (agencies submit the reports to KACA, 6 months after it's established, and afterwards in 12 month intervals). | KACA, OGG, ACC. | Procedures 06.2005 1 st report 12.2005 | Coordination between responsible institutions. Existence of a uniform reporting model, and inclusion of bodies, influenced by this measure, in drafting this model. | Transferred. | KACA's Policy Manual established. Reporting model is drafted and agencies are involved in the drafting phase. Reports are done on time. |
| I.3. | Draft the report on anti-corruption strategy implementation within 3 months after receiving individual reports from implementing agencies, which must include evaluation of success, problems and risk factors as well as evaluation of success in implementing the strategy and recommendations for other measures, including proposals of creating accountability for not | KACA. | 1 st report 03.2006 | Reception of implementer agencies' reports on time. | Transferred. | Assembly approves the report. The report is publicized. |

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| NR. | Measures | RESPONSIBLE/ COOPERATIVE INSTITUTIONS | TIMELINES | CHALLENGES | COMPETENCE | INDICATORS OF SUCCESS |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| I.4. | <p>carrying out the strategy or for carrying it out feebly. Submit the report to the Assembly of Kosovo. Distribute it to the media after its approval by the Assembly.</p> <p>KACA conducts integrity tests, gives opinions on corruption, conflict of interest and violation of ethics and incompatibility of functions and reports on the matter.</p> | KACA, OGG ₁ ACC. | Semi-annually | Approving KACA's rules and procedures on time. Sufficient funds for engaging experts. Creation of KACA's internal action plan. | Transferred. | Number of institutions involved in these tests. Tests are carried out at all PISG levels and subsequent reporting before the Assembly of Kosovo is done. |
| I.5. | Conduct overall research and analysis on the level of corruption in Kosovo as well as the anti-corruption secondary legislation in various agencies and sectors and their implementation (i.e. public finances, taxes, duties, tenders, local governance); and recommendations for improvement. Study secondary legislation compatibility with European Union (acquis communautaire) and World Bank standards. | PISG, KACA, ACC, Civil society. | 04.2005 | Cooperation between PISG, International agencies and Kosovar watchdog NGOs. | Transferred. | Overall research by inter-sector group. Inclusion of results from all anti-corruption activities in post-war Kosovo. |
| I.6. | Review of PISG's internal and external monitoring systems for implementation of | KACA, Government, | 10.2005 | Inclusion of all governing levels during | Transferred. | Making practical recommendations for |

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| NR. | Measures | RESPONSIBLE/ COOPERATIVE INSTITUTIONS | TIMELINES | CHALLENGES | COMPETENCE | INDICATORS OF SUCCESS |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------|
| I.7. | <p>existing regulations on anti-corruption.</p> <p>Inclusion of anti-corruption provisions in all administrative contracts, especially in the cases where the payment exceeds a set value.</p> | <p>OGG, MLGA.</p> <p>PISG, KACA, OGG, ___MLGA, Municipalities.</p> | <p>12.2005</p> | <p>the weaknesses' identification phase.</p> <p>Satisfactory and timely notification of governing offices on the tasks put forward by this measure.</p> | <p>Transferred.</p> | <p>improving internal systems.</p> <p>Inclusion of articles in administrative contracts and subsequent reporting by KACA.</p> |
| I.8. | <p>Approval of defining criteria for types and levels of confidentiality in every national administrative body.</p> | <p>KACA, OGG, MLGA, MPS, All bodies with Information Offices.</p> | <p>06.2005</p> | <p>Inclusion of all responsible institutions in the drafting.</p> | <p>Transferred.</p> | <p>All Information Offices have clear lists of confidential documents.</p> |
| I.9. | <p>Preparation of brief, simple, accessible information related to individuals' rights in various administrative procedures.</p> <p>Every governmental office should clearly define: its function; timeline for completion of certain tasks; service cost (if needed); and possibilities for filing a complaint, in the case the citizen's request is refused.</p> <p>This information should be posted outside the</p> | <p>PISG, OGG, MLGA, Municipalities, KACA, MPS, Civil Society.</p> | <p>09.2005</p> | <p>Inform offices, regarding their obligations under this measure on time.</p> | <p>Transferred.</p> | <p>Information included under this measure are posted outside all governmental offices.</p> |

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| NR. | Measures | RESPONSIBLE/ COOPERATIVE INSTITUTIONS | TIMELINES | CHALLENGES | COMPETENCE | INDICATORS OF SUCCESS |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------------------------------------------------------------------------------------------|
| I.10. | <p>offices, in places visible to citizens. Information should be easily understand.</p> <p>Introduce a simple standardized way to enable citizens to report corruption cases of public servants:</p> <p>Install anti-corruption boxes next to every government building. Boxes are to be opened in the presence of government officials and civil society representatives.</p> <p>Establish a telephone number where citizens can call anonymously regarding complaints on corruption.</p> | KACA, OPM, OGG, MPS, MLGA, KPS. | 12.2005 | Existence of reliable mechanisms for reviewing complaints posted in the boxes. Informing the citizens about the purpose of measures and how to use them. | Transferred. | Contacting boxes and telephones are placed. Citizens know about the phone line and the phone number. |
| I.11. | Municipal and central governments publicize quarterly reports on their expenses. | PISG, OGG, MLGA, Municipalities, KACA. | 1 st report 09.2005 | Creation of a reporting model by the responsible institutions. | Transferred. | All municipal and central authorities publicize the reports. |
| II. Anti-corruption legislative measures | | | | | | |
| II.1. | <p>Adopt the Anti-corruption law, which amongst others regulates the following:</p> <p>Publicizing most serious violations of the law;</p> <p>Nepotism in recruitment and other activities;</p> <p>Conflicts of interest;</p> | KACA, OGG, Assembly of Kosovo, UNMIK. | 06.2005 | Coordination between PISG and UNMIK Legal Office. Consulting the public during the drafting and adoption processes. | Mixed. | The law adopted by the Assembly and promulgated by SRSG. Incorporation of comments in the draft. |

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| II.2. | <p>Giving/accepting gifts in public administration, categories of presents (their listing), obligation to report them, publishing of PISG presents' catalogue;</p> <p>Compulsory reporting of civil servants' corruption cases by governmental bodies;</p> <p>Sanctions for violating the law.</p> | | | | | |
| II.3. | <p>Adopt and supervise regulations enabling extra-budgetary funding of public administrative bodies, especially regulation on auditing procedures, which will have to include official auditing mechanisms as well as the civil society.</p> <p>PISG adopts a regulation that obliges all administrative bodies to carry out periodical assessments on corruption combating and prevention.</p> | <p>KACA, General Auditor, OGG, Assembly of Kosovo, UNMIK.</p> <p>OGG, KACA, Assembly of Kosovo, UNMIK.</p> | <p>Adoption 12.2005</p> <p>11.2005</p> | <p>Drafting of regulations on time and involvement of bodies affected by this measure in the drafting process.</p> <p>PISG capacity and efficiency.</p> | <p>Mixed.</p> <p>Mixed.</p> | <p>Regulations in force. Inclusion of official auditing mechanisms and the civil society.</p> <p>Regulation in place. Initiation of periodical reporting by the majority of administrative bodies.</p> |
| II.4. | <p>Adopt laws on political party financing.</p> | <p>OPM, MPS, OSCE, Assembly of Kosovo, CEC, UNMIK.</p> | <p>10.2005</p> | <p>Involvement of all the stakeholders affected by the respective measure.</p> | <p>Mixed.</p> | <p>Law adopted by the assembly and promulgated by the SRSG.</p> |
| II.5. | <p>Adopt the law imposing declaration of financial</p> | <p>OPM, OGG,</p> | <p>12.2005</p> | <p>Review of deficiencies in</p> | <p>Mixed.</p> | <p>Law approved by the</p> |

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| | situation of election candidates and holders of public posts. Same goes for managers and directors of public utilities (such as PTK and KEK). Financial statements should be made on a yearly basis. | KACA, Assembly of Kosovo, CEC, OSCE, UNMIK. | | individual financial disclosure to date. Involvement of all responsible institutions in the drafting process. | | Assembly and promulgated by SRSG. |
| II.6. | Analyze systematically the existing and proposed legislation regarding their compatibility with the anti-corruption legislation. Annual reports should be published. | KACA. | Regularly | Consultation with bodies in charge of transparency law and anticorruption law. | Transferred. | Annual publication of the analysis. |
| II.7. | Adopt and/or further develop a clear legislation regarding the organization and competencies of the KACA, police, prosecutor's office and judicial services. | KACA, OGG, Assembly of Kosovo, UNMIK. | 12.2005 | Coordination between responsible institutions. | Mixed. | Publication of proposed measures. |
| II.8. | Adopt secondary legislation on witnesses' and whistleblowers' protection. | OPM, OGG, KACA, MLGA, Assembly of Kosovo, UNMIK. | 09.2005 | Taking into consideration respective legislation in Central and Eastern Europe. | Mixed. | The legislation is adopted by the Assembly and promulgated by the SRSG. |
| II.9. | Implement properly and/or further develop comprehensive legislation on financial system (including stock market, insurances and gambling), banking system, accounting, export- | OGG, KACA, MEF, Assembly of Kosovo, UNMIK. | 12.2005 | Coordination between responsible institutions. | Mixed. | Legislation adopted by the Assembly and promulgated by the SRSG. Inclusion of all |

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| II.10. | import system, tax system, customs system and business registration. Adopt the law on money laundry. | OPM, OGG, KACA, MEF, Assembly of Kosovo, UNMIK. | 12.2005 | Taking into consideration the existing UNMIK regulation. Inclusion of all responsible institutions in the drafting process. | Mixed. | responsible institutions in the drafting process. Law adopted by the Assembly and promulgated by the SRSG. |
| II.11. | Adopt the law on conflict of interests. | OPM, OGG, KACA, MEF, Assembly of Kosovo, UNMIK. | 12.2005 | Taking into consideration past experiences in this field. Coordination responsible institutions. | Mixed. | Law adopted by the Assembly and promulgated by the SRSG. Inclusion of all responsible institutions in the drafting process. |
| II.12. | Adopt the law on economic competition, monopoly, price fixing and cartels. The law should be compliant with the EU acquis communautaire. | OPM, OGG, KACA, MEF, Assembly of Kosovo, UNMIK. | 12.2005 | Taking into consideration the economic studies carried out. | Mixed. | Law adopted by the Assembly and promulgated by the SRSG. |
| II.13. | Develop legislation and create a public catalogue for all legal entities (as stipulated in the Criminal Code) convicted for corruption, in | OPM, OGG, KACA, MLGA, UNMIK. | 12.2005 | Existence of necessary data for making the catalogue. | Mixed. | Law adopted by the Assembly and promulgated by the |

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| II.14. | order to prevent them from participating in public procurement procedures. Approve and/or further develop laws on control and confiscation of assets from criminal acts of legal persons (as defined in the Criminal Code) involved in criminal acts. | OPM, OGG, KACA, Assembly of Kosovo, UNMIK. | 12.2005 | Coordination between responsible institutions. | Mixed. | SRSG. Public catalogue is made and put into use. Laws are reviewed and additional amendments approved. |
| III. Judiciary measures and law implementation | | | | | | |
| III.1. | Provide policy advice to relevant agencies with reference to strengthening Judiciary Reform process (e.g. Law on Courts, Police Law, Law on Prosecutors, etc.) with mechanisms of preventive measures related specifically to: Status of judges and prosecutors; Salaries; Rules of ethics (dismissal, appointment, background check, etc.); and Number of judges. | KACA, UNMIK, KPS, OGG. | 12.2005 | Effective transfer of competencies from UNMIK to PISG. | Mixed. | Advice is taken into consideration by the judicial bodies in Kosovo. |
| III.2. | Increase the number of judges. | UNMIK, OPM, ZQM. | Immediately. | Effective transfer of competencies from UNMIK to PISG. | Reserved. | The number of judges is increased. The caseload has decreased. |

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| III.3. | Oblige judges and public prosecutors to disclose their financial situations and potential conflicts of interests. | UNMIK, OPM/OGG, KACA. | 12.2005 | Effective transfer of competencies from UNMIK to PISG. | Reserved. | Judges and public prosecutors disclose their financial situation and potential conflicts of interests. |
| III.4. | Build capacities of agencies to monitor property and conflicts of interests of judges and public prosecutors. | UNMIK, KIPA, KACA. | 12.2005 | Effective transfer of competencies from UNMIK to PISG. | Mixed. | Training programs are drafted and have begun to be implemented. |
| III.5. | Strengthen the public prosecutor's position in pre-trial corruption investigation proceedings. | UNMIK, KACA. | 08.2005 | Effective transfer of competencies from UNMIK to PISG. | Reserved. | Public prosecutor makes indictments regarding corruption practices. |
| III.6. | Apply periodical obligatory evaluation for the performance of public prosecutors and judges. | UNMIK, OPM/OGG, KACA. | Yearly | Coordination between institutions and preparation of the reporting model. | Reserved. | Periodical reports are published. |
| III.7. | Establish the independent tribunal for reviewing taxes as a second-degree tribunal concerning fiscal issues. | UNMIK, MEF, OPM/OGG, KACA. | 03.2006 | Coordination between responsible institutions. | Mixed. | The tribunal is established along with rules and procedures for its functioning. |
| III.8. | Increase the number of police officers that deal | UNMIK, KPS, | 06.2006 | Existence of willingness | Reserved. | The plan is developed |

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| | with the problem of corruption and assure their proper qualification. | OSCE, KACA. | | and funds to implement this measure. | | and the officers' capacity-building program has started. |
| III.9. | Specialize police officers and prosecutors in searching, taking and confiscating assets originating from criminal acts. | UNMIK, KPS, KACA, OSCE/Police School. | 01.2006 | Existence of willingness and funds to implement this measure. | Reserved. | The plan is developed and the officers' capacity-building program has started. |
| III.10. | Adopt a regulations that minimizes the probability of unlawful influence by senior police officers in police investigations of corruption. | UNMIK, KPS, KACA. | 01.2006 | Coordination and inclusion of all stakeholders. Existence of control mechanisms. | Reserved. | Regulations are in force. Implementing mechanisms are drafted and adopted. |
| III.11. | Revise remuneration systems for police officers, public prosecutors and judges. | UNMIK, KPS, KACA, OSCE, OPM/OGG, MEF. | 12.2005 | Existence of budgetary means. | Reserved. | Payment system revised and modified accordingly. |
| III.12. | Obligatory financial inspection of previous operations of every legal socially owned entity before it is sold. Involvement of PISG in the privatization process. | MEF, KTA, UNMIK, OPM/OGG, KACA. | 12.2005 | Coordination between responsible institutions and existence of willingness. | Reserved. | Financial inspection is carried out with PISG involvement in planning and inspection. |
| III.13. | Efficient supervision of the state administration, including supervision of public officials' promotions. | Assembly of Kosovo, General Auditor, KACA, | Annual Reports | Transparency of institutions. Initiatives within respective | Transferred. | State administration is under continuous efficient supervision. |

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| III.14. | Establish and/or develop respective bodies for adjudicating cases where the code of ethics is violated by public officials. | OPM, MPS. Courts, KACA. | 06.2006 | supervisory institutions. Partisan influence. Delays in establishing mechanisms for code of ethics. | Mixed. | Respective bodies have gone through development trainings. |
| III.15. | Monitor the implementation of anti-corruption and transparency laws, emphasizing in particular deadlines for their implementation. | KACA, OPM, OGG, ACC. | Annual Reports | Civil society's involvement in planning and monitoring. | Transferred. | Annual reports drafted on the implementation of laws. |
| III.16. | Properly implement legislation that insure the independence of police, public prosecutor's office and judiciary, as far a appointments, promotions and determining police officers', public prosecutor's and judges' mandates is concerned. | Courts, Prosecutor's Office, UNMIK, KPS. | 06.2006 | Transfer of competencies from UNMIK Pillar I to PISG. | Reserved. | Legislation is implemented properly. |
| IV. Public administration reformation measures | | | | | | |
| IV.1. | Inspect strictly the numbers of government employees and look into the possibility of increasing salaries. | OPM/OGG, MPS, Assembly of Kosovo, MEF. | 12.2005 | Increase in consolidated budget incomes. Eventual dissatisfactions in case of reducing the number of government employees. | Transferred. | Periodical reporting on human resources needs and eventual budgetary burdens. |

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| IV.2. | <p>Simplify administrative procedures related to permits, licenses issuance. Clear definition of when and how licenses are to be issued:</p> <ul style="list-style-type: none"> - Agencies issue only licenses and permits provided in detail by law; - The annulment of secondary legislation regulating permits, approvals and licenses that are not clearly based on legislation; - Removal or modification of all regulations permitting the right to the free act in decision-making, when it comes to issuing permits, documented approvals and licenses; - Draft a list of licenses or permits needed in particular fields. | MPS, MLGA. | 12.2005 | Identifying weaknesses in this field. Public information regarding the undertaken measures. | Transferred. | New applicable procedures. Diminished difficulties of the public in obtaining permits and licenses. |
| IV.3. | Divide clearly and consistently duties between bodies issuing various license and permits, and bodies implementing or supervising the application of licenses or permits. | MPS, MLGA. | 12.2005 | Coordination between responsible institutions. | Mixed. | Clear description of responsibilities of bodies issuing licenses and permits developed. |
| IV.4. | Prepare the plan and establish the one-stop system for obtaining various permits and licenses from administrative bodies. | MPS, MLGA. | 12.2005 | Existence of willingness from institutions in charge. | Transferred. | "One-stop" plan is created and applied. The plan creates relief |

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| IV.5. | Draft simple internal rules for reporting acts of corruption within public administrative bodies and rules for protection of whistleblowers in public administrative bodies. | KACA, OPM, MLGA. | 08.2005 | Inclusion of bodies affected by this measure in drafting the rules. | Transferred. | in usage. Rules in place. Governance instances accept rules and start applying them. |
| IV.6. | Establish or appoint bodies which will decide on the violation of code of ethics. | OPM, Ministries, Municipalities. | 12.2005 | Identifying adequate offices and personnel. Increase the number of civil personnel. | Transferred. | All agencies have bodies that decide on violations of code of ethics. |
| IV.7. | Appoint individuals or bodies for managing the lists of received gifts. | OPM, Ministries, Municipalities. | 11.2005 | Identify adequate offices and personnel. Increase in the number of civil personnel. | Transferred. | All agencies have assigned the person managing the gift lists. Every agency has a public gift list. |
| IV.8. | Ensure the autonomy and independence of the Senior Public Appointments Committee (SPAC) and Kosovo Independent Oversight Board (KIOB). | Assembly of Kosovo, MPS, OPM, UNMIK. | 03.2006 | Risk from political party involvements. | Mixed. | SPAC and KIOB functioning independently without external interference. |
| IV.9. | Appointment of anti-corruption advisors in public administrative bodies. | All public administrative bodies. | 12.2005 | Identification of proper persons for the post of advisors. | Transferred. | All administrative bodies have assigned anti-corruption advisors. |

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| IV.10. | Gradually depersonalize contacts between citizens and public official and periodically assure complete transparency concerning the identity of public officials in decision-making or members of their joint administrative body. | MPS, Municipalities, all administrative offices that keep contacts with the public. | 03.2006 | Seriousness at work of the civil servants. | Transferred. | Official persons treat equally all clients regardless of whether they are their acquaintances or not. All persons in continuous contact with the public keep their name badges visible. |
| IV.11. | Provide institutional assistance to officials erroneously accused or who have been affected by undeserving promotions in state administration. | KACA, OPM/OGG, MPS, ACC. | 03.2006 | Assigning bodies that will provide the support. | Transferred. | Erroneously accused persons receive proper support promptly. |
| IV.12. | Restrain cash transactions between public officials and clients. | MPS, Municipalities, KPS. | 12.2005 | Lack of banks close to state bodies premises. | Transferred. | Cash transactions restricted between clients and official persons. |
| IV.13. | Consistent use of public tenders in personnel administration for senior professional posts in state administration bodies and in public companies, where feasible. | PISG, KACA. | 06.2005 | Existence of readiness in implementing the measure. | Transferred. | Periodical reporting on the functioning of tenders in this field. |

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| V. Public Finance and Economy Measures | | | | | | |
| V.1. | Approve the regulation obliging all businesses to operate with receipts. Businesses have to clearly convey the message that requests clients to ask for a receipt. Defining punitive measures for businesses that don't give receipt and clients that don't seek it. | KACA, MEF, Assembly of Kosovo, UNMIK. | 10.2005 | Proper training of PISG staff. Acceptance of the new culture by the citizens. | Mixed. | The regulation has been approved and is implemented. Punitive measures are in place for noncompliance. |
| V. 2. | Connect all businesses with Tax Administration through an electronic billing system. | MEF, KACA. | 06.2006 | Coordination with Tax Administration. Reviewing successful cases from regional countries and beyond. | Mixed. | Electronic billing system is in place with reported billing system. |
| V. 3. | Utilize penalties for improper or forge bookkeeping and for all other forms of business papers forging. | MEF, UNMIK. | 12.2005 | Inclusion/review of previous Tax Administration practices. | Mixed. | Penalties are in force and implementation plans are developed. |
| V. 4. | Publicize exact and indisputable conditions for any kind of public offers regarding budgetary funds for private sector. | Assembly of Kosovo, Presidency, OPM, Ministries, Municipalities. | Annual review | Proper qualification and experience of persons drafting public proposals. | Transferred. | Public offers are clear and there is no room for suspicion. |
| V. 5. | Analyze periodically procedures for public arrangements, <i>bilateral</i> and <i>multilateral</i> | KACA, Assembly of Kosovo. | Annually | Transparency of institutions towards | Mixed. | Analysis conducted on regular basis and |

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| | assistance, subsidies, loans or other usages of public funds, emphasizing in particular the frequency of accessing these funds. | | | persons conducting analysis. | | comments are sent to proper bodies. |
| V. 6. | Make integrity agreements between state administration bodies and public funds acquirers. | PISG and public funds acquirers. | 12.2005 | Proper information of the public and institutions regarding the integrity agreement. | Transferred. | Governmental bodies and public funds acquirers sign the integrity agreement on regular basis. |
| V.7. | Utilize internal procedures for reporting alleged corruption cases in private societies. | Private societies, MPS, MEF. | 12.2005 | Existence of willingness of private societies to install internal corruption reporting procedures. | Transferred. | Private societies report corruption cases regularly. |
| V.8. | Report periodically on the implementation of the public procurement law. | OPM, Assembly of Kosovo, KACA. | Once a year | Transparency of implementing bodies. | Transferred. | Regular reporting on the implementation of public procurement law. |
| V.9. | Conduct financial audits in governmental agencies, as well as in public corporations (PTK, KEK, RTK etc.). | MEF, KTA, General Auditor, KACA. | Periodically | Coordination in creating audit plans that are achievable. | Mixed. | Setting periods and other parameters for audit. Conducting audit and public report on the results. |
| V.10. | Evaluate the efficiency of all programs funded | OPM/OGG, | Every two | Coordination between | Transferred. | Publication of |

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| | by the government, to ensure that the programs are effective and funds are spent appropriately. | KACA, MEF. | years | responsible institutions. | | evaluation report. |
| V.1.1. | Modify municipal assembly regulations to allow public participation in budgetary planning. Municipalities publicize their budgets. | Municipalities, KACA, MEF, MLGA. | 03.2006 | Civil society participation in the drafting process. | Transferred. | Regulations adopted by the Municipal Assemblies. |
| VI. Media, civil society and public participation | | | | | | |
| VI.1. | Increase activity of the business associations and trade unions in preventing corruption. | Business associations, Trade Unions. | 12.2005 | Interest of associations and trade unions in fighting corruption. | Transferred. | Business associations and trade unions show involvement in fighting corruption. |
| VI.2. | Adopt uniform and fully transparent criteria for public support provided to non-governmental organizations and establish its minimum required amount and create conditions to supervise allocation of funds and security filters in order to guarantee the independence of non-governmental organizations. | PISG, NGOs. | 12.2005 | Coordination between institutions and NGOs. | Transferred. | Public funds are given to NGOs in transparent manner. Security filters are installed in order to ensure NGOs' independence. |
| VI.3. | Adopt and implement a code of ethics for non-governmental organizations. Establish an efficient mechanism that would deal with violations of ethical and legal norms within all organizational forms of civil society. | PISG, NGOs. | 10.2005 | Coordination between institutions and NGOs. | Transferred. | Code of ethics for NGOs exists and is followed. There is an appropriate body within PISG that investigates |

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| VI.4. | Trade unions and professional business societies participate in drafting the code of ethics. | PISG, civil society. | 10.2005 | Coordination between institutions and civil society. | Transferred. | ethical violations within NGOs. The code of ethics for NGOs exists and is followed by NGOs. |
| VI.5. | Establish transparent procedures related to transactions of NGO funds. | NGOs, PISG. | 10.2005 | Coordination between NGOs and institutions. | Transferred. | Transactions with NGO funds are made in transparent manner. |
| VI.6. | The civil society carries out independent surveys regarding general situation in implementing ethical codes, and corruption in Kosovo. | Civil society. | 04.2006 | Taking of initiative within civil society. Transparency of public institutions. Availability of funds for such activities. | Transferred. | Civil society publishes survey results on continuous basis. |
| VI.7. | Anti-corruption NGOs ally, in order to make pressure jointly on corrupted behavior in the society. | NGOs. | 06.2005 | Coordination between NGOs. | Transferred. | NGOs are organized in groups lobbying against corruption. |
| VI.8. | Active participation of the private sector in the work of the central administrative body in charge of monitoring and implementing the anti-corruption strategy in Kosovo. | Private sector, KACA. | 06.2005 | Interest from the private sector to get involved in fighting corruption. | Transferred. | Private sector monitors central administrative in implementing anti-corruption strategy. |
| VI.9. | Notify regularly the public regarding the opinions | KACA, ACC, Civil | Regularly | Coordination between | Transferred. | Civil society |

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| | of the civil society on individual cases of corrupted behavior. | society, media. | | media and NGOs. | | representatives declare regularly against corruption. |
| VI.10. | Support systematically the work of all organized forms of civil society, including their working conditions, in order to strengthen their identity and to consolidate the conjunction of their work principles and ethics. | PISG. | 09.2005 | Existence of interest within institutions regarding the work of NGOs. | Transferred. | PISG support watchdog NGOs in their work. |
| VI.11. | Integration of NGOs in appropriate international anti-corruption networks. | NGOs. | 12.2005 | Availability of NGO funds in this field. | Transferred. | Kosovar NGOs actively participate in international anti-corruption networks. |
| VI.12. | Conduct analysis of existing media regulations as far as the probability of external influence in their work is concerned, in order to eliminate direct or indirect dependence of journalists from external impacts. | KACA, Assembly of Kosovo, TMC. | 10.2005 | Readiness for the measure within the institutions. | Mixed. | The existing regulations are analyzed and improvements are recommended. |
| VI.13. | Analyze the code of conduct for broadcasters and the possibilities for establishing a code of ethics for journalists in Kosovo, in order to clearly define ethical principles that ensure objectivity and ethical correctness, so that their | TMC, Assembly of Kosovo. | 10.2005 | Media involvement. | Mixed. | Code of conduct for broadcasters in relation to corruption is established. |

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| VI.14. | work is independent of all corruption efforts. Conduct analysis of legal possibilities for strengthening the independent position of journalists and permanent emphasis of their responsibility in case of violations of the law. | TMC, Assembly of Kosovo. | 12.2005 | Timely implementation of the two prior measures. | Mixed. | Recommendations for strengthening journalists' independent position are made. |
| VI.15. | Organize media in order to enable protection of journalists' rights, in particular when their independence is violated. | Media, TMC. | 12.2005 | Elimination of divergent interests amongst journalists and media agencies. | Transferred. | Journalists' independence is protected. Criminal Code is amended. |
| VI.16. | Removing defamation from the Kosovo Criminal Code. | TMC, Assembly of Kosovo, UNMIK. | 12.2005 | Willingness of TMC to lobby for the removal. | Mixed. | Defamation is removed from the Criminal Code. |
| VI.17. | Strengthen internal mechanisms for efficient treatment of ethical norms' violations by journalists. | Media. | 06.2006 | Elimination of divergent interests amongst journalists and media agencies. | Transferred. | Media fight violations of ethics norms through strengthened internal mechanisms. |
| VI.18. | Monitor and analyze periodically media contribution in fighting corruption, in order to separately determine the reaction of public administration and to publish these analyses. | KACA, NGOs. | Annually – August | Availability of funds. | Transferred. | Media involvement in fighting corruption is monitored and analyzed on regular basis. |

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| VI.19. | Media support administration for successful anti-corruption efforts. | Media. KACA. | Regularly. | Avoidance of the divergent media interest and the partisan policies. | Transferred. | Media support public administration in fighting corruption. |
| VI.20. | Utilize special yearly journalism awards ceremonies on achievements in exposing and preventing corruption. | KACA, civil society. | 03.2006 | Availability of funds and readiness for creating an independent evaluating body. | Transferred. | Annual prizes are given regularly for most successful journalists in fighting corruption. |
| VI.21. | Implement labor legislation in media organizations. | Media, KACA, Ministry of Labor. | 12.2005 | Interest of media agencies. | Transferred. | Employee rights legislation is implemented in media agencies. |
| VI.22. | Initiate legal action in cases where public administrative bodies unlawfully refuse to provide information. | Media, NGOs, Courts. | Regularly. | Partisan directions in media agencies. | Transferred. | Media initiate legal action against institutions that do not follow legislation on transparency. |
| V.23. | Establish transparent procedures regarding discussions between media and advertisers. | Media and advertisers. | 12.2005 | Interest of media and businesses. | Transferred. | Transparent procedures for communication between media and |

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|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------|----------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------|
| VI.24. | Rigorous division of advertising activities and journalism within respective media. | Media and advertisers. | 12.2005 | Interest shown from media and businesses. | Transferred. | advertisers established. Advertisements and journalism are clearly separated in the media. |
| VI.25. | Implement projects that support the implementation of the Law on Access to Official Documents. | PISG, civil society. | 06.2005 | Interest of the institutions to implement the law. | Transferred. | The law on access official documents implementation reports. |
| VII. Capacity Building and Education Measures | | | | | | |
| VII.1 | Train PISG civil servants and political appointees in central and local levels on anti-corruption with a special focus on ethics, professional integrity. | KACA, KIPA, NGOs, PISG. | 12.2005 | Availability of funds and expertise. | Transferred. | PISG civil servants and political appointees are aware on main features of anti-corruption. |
| VII.2. | Conduct basic and supplemental training for police officers, public prosecutors and judges in the field of corruption and confiscation of assets gained illegally. | KACA, KPS, Prosecutor's Office, UNMIK. | 10.2005 | Coordination with UNMIK. | Mixed. | Basic and supplemental training for police officers, public prosecutors and judges, in the field of corruption, conducted. |

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| III.3. | Train practically public prosecutors to act as leaders in pre-trial proceeding. | UNMIK, KACA. | 08.2005 | Coordination between responsible institutions. | Reserved. | Training program is drafted and has begun to be implemented. |
| VI.4. | Conduct elementary and supplemental trainings for journalists on risks, forms and methods that impact their work unlawfully and options to challenge this influence. | NGOs, media. | 2005-2006 | Willingness of media management to spend their employees' time in training. Journalists' interest. | Transferred. | A considerable number of journalists trained. |
| V.5. | Conduct elementary and supplemental trainings for journalists on the features of corruption in Kosovo. | NGOs, media. | 2005 | Willingness of media management to spend their employees' time in training. Journalists' interest. | Transferred. | A considerable number of journalists trained. |
| VII.6. | Conduct secondary school teacher and university professor trainings on anti-corruption. | KACA, KIPA, NGOs, MEST. | 06.2006 | Availability of funds for training programs. Cooperation between responsible institutions and readiness to implement the training programs. | Transferred. | Training programs have been established. All teachers have gone through anti-corruption teacher training. |
| VII.7. | Organize seminars and lectures on anti-corruption for high-school and university | KACA, KIPA, NGOs, MEST. | 12.2006 | Availability of funds for training programs. | Transferred. | A big majority of schools have gone |

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| | students. | | | Cooperation between responsible institutions and readiness to organize the seminars. | | through the anti-corruption trainings. |
| VI.8. | Establish the examination department at MEST, specialized in compiling and administering all higher education exams. | KACA, MEST, NGOs. | 01.2006 | Readiness of the Ministry and availability of funds. Learning from regional and international experiences. | Transferred. | The Exam Department created. |
| VI.9. | Create uniform enrollment examination system for high school and university levels. The systems have to be especially focused on corruption prevention in high education, with a special focus on modern electronic systems (e.g. electronic results, video monitoring of the examination process, etc.). | Examination Department, MEST, KACA, NGOs. | 06.2006 | Learning from regional and international experiences. Inclusion of stakeholders, especially educational institutions. | Transferred. | The uniform examination system created together with the conditions for its application in the educational institutions. |
| VII.10. | Incorporate anti-corruption content in the existing educational curricula in primary and secondary schools. | KACA, MEST. | 09.2006 | Availability of funds for changing the curricula. | Transferred. | Educational curricula in primary and secondary education have anti-corruption elements incorporated |

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| VII.11. | Publish a simple and free manual for secondary schools regarding the work of public administration, describing the functions of its institutions and citizens' rights towards public administration. | KACA, MEST, NGOs. | 12.2005 | Coordination between institutions and NGOs. Availability of funds for publishing the manual in many copies. | Transferred. | The manual is published and distributed to all secondary schools. |
| VII.12. | Conduct regular annual trainings for the private sector on risks of corruption and its prevention. | KACA, Business Associations, NGOs. | Regularly | Show of interest by the private sector. | Transferred. | The private sector is trained on risks of corruption and its prevention. |
| VII.13. | Train civil society leaders on anti-corruption. | KIPA, NGOs, donor organizations. | 12.2005 | Availability of funds. | Transferred. | Civil society leaders are trained on anti-corruption. |
| VIII. Other measures of institutional reforms | | | | | | |
| VIII.1. | Establish the Anti-corruption Office in the Special Prosecutor's Office. | KACA, OPM, UNMIK, Special Prosecutor's Office. | 05.2005 | Coordination between responsible institutions. | Mixed. | Anti-corruption Office is established. |
| VIII.2. | Adopt regulations on allocation of assets confiscated by institutions in Kosovo. | KACA, Assembly of Kosovo, MLGA, UNMIK. | 03.2006 | Taking into consideration lessons from experience. | Mixed. | Regulations for allocation of confiscated assets are established. |
| VIII.3. | Create a special award to companies in the field | KACA. | 06.2006 | Sufficient capacity within | Transferred. | Every year KACA |

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| | of prevention and discovering non-ethical conduct at work. | | | KACA to implement the measure. | | awards the most successful company fighting corruption. |
| VIII.4. | Launch and develop a special and confident public campaign against corruption (by paying attention to the youth), implementing all modern marketing means (audiovisual), thematic support campaign and creation of a logo, motto and graphic images (posters) for the campaign, in order to increase awareness on the causes and consequences of corruption. | ACC, KACA, OGG, NGOs, media. | 05.2005 | Clear legal provisions on advertisements for the public's benefits. | Transferred. | Time after time there are campaigns for increasing awareness on corruption and possibilities of preventing it. |
| VIII.5. | Publish a free manual on anti-corruption for the wide population. | KACA, NGOs. | 08.2006 | Availability of funds for publishing the manual in many copies. | Transferred. | Manual on fighting corruption is published and distributed. |
| VIII.6. | Consider options for religious institutions involvement in fighting corruption, implementation of acceptable measures. | KACA, religious institutions. | 07.2005 | Readiness shown from religious institutions. | Transferred. | Religious institutions are involved in combating corruption. |
| VIII.7. | Organize seminars and lectures on anti-corruption for the large public in specific fields. | KACA, ACC, OPM/OGG. | 06-12.2005 | Availability of funds and non-involvement of civil society in the process. | Transferred. | The plan is drafted in cooperation with the civil society and implemented until the end of year 2005. |

List of Acronyms

CEC – Central Elections Committee
KACA – Kosovar Anti-Corruption Agency
KIPA – Kosovo Institute for Public Administration
KTA – Kosovo Trust Agency
KPS – Kosovo Police Service
MEF – Ministry of Economy and Finance
MEST – Ministry of Education, Science and Technology
MLGA – Ministry of Local Government Administration
MPS – Ministry of Public Services
NGO – Non-Governmental Organization
OSCE – Organization for Security and Cooperation in Europe
OGG – Office for Good Governance
OPM – Office of the Prime Minister
PISG – Provisional Institutions of Self-Governance
SRSG – Special Representative of the Secretary General
TMC – Temporary Media Commissioner
UNMIK – United Nations Mission in Kosovo