

Programmatic Cooperation Framework for
Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine and Belarus

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CoE/EU Eastern Partnership Programmatic Co-operation Framework (PCF)

Thematic Programme: Theme III

“Fight against Corruption and Fostering Good Governance-Fight against money-laundering”

2nd Progress Report

December 2016

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Table of Contents

1	Description.....	5
1.1	Contact Person for Corruption Theme.....	5
1.2	Name of Partners in the Action.....	5
1.3	Title of Action	5
1.4	Contract Number	5
1.5	Start Date and End Date of the Reporting Period	5
1.6	Target Countries.....	5
1.7	Beneficiaries	5
2	Executive Summary	8
3	Description of Action	10
3.1	Context of Cooperation	10
3.2	Approach.....	10
4	Project Objectives	11
4.1	Ukraine Project: (PCF-UA).....	11
5	Workplan/Activities	12
5.1	Ukraine Project: (PCF-UA).....	12
6	Modification[s], Assumptions, risks and sustainability	13
6.1	Modification.....	13
6.2	Assumptions, risks and sustainability	13
6.3	Substance related issues.....	14
6.4	Operational related issues.....	14
7	Level of Progress: Activity and Action Based Approach.....	16
7.1	PCF-UA.....	16
8	Cooperation with Stakeholders.....	19
8.1	Ukraine	19
8.2	Third parties/Partners	19
9	Visibility of the Project.....	19
10	Conclusions	20
11	Annex I: Workplans of Activities.....	22
12	Annex II: Visibility	22

ABBREVIATIONS

AML/CFT	-	Anti-Money Laundering/Counter Financing of Terrorism
CSC	-	Civil Service Commission
CCC	-	Commission for Combating Corruption
MONEYVAL	-	Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism
CoE	-	Council of Europe
GIZ	-	Deutsche Gesellschaft für Internationale Zusammenarbeit
EaP	-	Eastern Partnership
PCF	-	Eastern Partnership Programmatic Co-operation Framework
EU	-	European Union
ER	-	Expected Result
GRECO	-	Group of States against Corruption
NACAP	-	National Anti-Corruption Action Plan
NABU	-	National Anti-Corruption Bureau of Ukraine
NAPC	-	National Agency for Prevention of Corruption
NRA	-	National Risk Assessment
ODIHR	-	Office for Democratic Institutions and Human Rights
OECD	-	Organisation for Economic Co-operation and Development
OSCE	-	Organization for Security and Co-operation in Europe
PCF-REG	-	PCF Regional Project "Fight against Corruption and Fostering Good Governance/Fight against money-laundering"
PCF-AZ	-	PCF Azerbaijan Project "Strengthening capacities to Fight and Prevent Corruption in Azerbaijan"
PCF-BE	-	PCF Belarus Project "Good governance and fight against corruption" (PCF-BE)
PCF-GE	-	PCF Georgia "Project on Combating Money Laundering and Terrorist Financing"
PCF-UA	-	PCF Ukraine Project "Fight against Corruption" – Open Advisory Facility
SIMs	-	Special Investigative Means
ToT	-	Training of trainers
UNDP	-	United Nations Development Programme
UNODC	-	United Nations Office on Drugs and Crime
U.S. DOJ	-	United States Department of Justice
U.S. DOS/INL	-	United States Department of State Bureau of International Narcotics and Law Enforcement Affairs

1 DESCRIPTION

1.1 Contact Person for Corruption Theme

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Council of Europe (CoE)

1.2 Name of Partners in the Action

The Eastern Partnership Programmatic Co-operation Framework is 90% funded by the EU and 10% by the Council of Europe. It is implemented by the Council of Europe.

1.3 Title of Action

CoE/EU Eastern Partnership Programmatic Co-operation Framework (PCF) Thematic Programme “Fight against Corruption and Fostering Good Governance/Fight against money-laundering” (2015-2017)

1.4 Contract Number

ENI/2014/037-347

1.5 Start Date and End Date of the Reporting Period

1 January 2015 – 31 December 2017

1.6 Target Countries

Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine

1.7 Beneficiaries

Regional Main Counterparts:

Ministry of Justice of Republic of Armenia, Commission on Combating Corruption under the President of the Republic of Azerbaijan, Department for Combating Corruption and Organised Crime Prosecutor General’s Office of Belarus, Ministry of Justice of Georgia, Prosecutor’s Office of Georgia, National Anti-Corruption Centre of the Republic of Moldova, and Ministry of Foreign Affairs of Ukraine.

Regional Beneficiaries:

- Governmental bodies at all levels, notably specialised structures within the ministries of justice, interior, and finance;
- Ministry units responsible for public administration and civil service;
- Specialised agencies/bureaux/commissions involved in prevention and fight against corruption and economic crime (i.e., anti-corruption agency);

- Financial intelligence units (FIUs);
- Judiciary and prosecutorial services;
- Training institutions; and
- Civil Society.

Azerbaijan Main Counterpart:

Commission on Combating Corruption under the President of the Republic of Azerbaijan

Azerbaijan Beneficiaries:

- General Prosecutor's Office;
- Civil Service Commission;
- State Agency for Public Service and Social Innovations/ASAN;
- Police Academy;
- Financial Monitoring Service;
- CARA;
- Custom's Academy;
- Justice Academy;
- Ministry of Education; and
- Civil Society.

Belarus Main Counterpart:

Prosecutor General's Office of Belarus.

Belarus Beneficiaries:

- Prosecutor's General Office of Belarus;
- Governmental bodies assigned to risk assessment policy and implementation; and
- Specialised agencies/bureaux/commissions assigned to prevention and fight against corruption and economic crime.

Georgia Main Counterparts:

- Ministry of Finance of Georgia;
- Ministry of Justice of Georgia; and
- Office of the Chief Prosecutor of Georgia.

Georgian Beneficiaries:

- Ministry of Finance of Georgia;
- Ministry of Justice of Georgia;
- Prosecutor's Office of Georgia;
- State Security Agency;
- Insurance State Supervision Service of Georgia;
- Revenue Service – legal entity of public law of the Ministry of Finance;
- Georgian Bar Association;
- Georgian Federation of Professional Accountants and Auditors;
- National Agency of Public Registry- legal entity of public law of the Ministry of Justice;

- National Bank; and
- Financial Monitoring Service.

Ukraine Main Counterpart:

Ministry of Foreign Affairs of Ukraine;

Ukrainian Beneficiaries:

- Verkhovna Rada
- Ministry of Justice;
- National Anti-Corruption Bureau;
- National Agency for Prevention of Corruption; and
- Representatives of law enforcement agencies, prosecution service, the judiciary, civil society and media.

2 EXECUTIVE SUMMARY

The CoE/EU Eastern Partnership Programmatic Co-operation Framework (PCF) has been developed pursuant to the Council of Europe and EU Policy priorities in the context of the Eastern Partnership and is a continuation of an earlier Eastern Partnership initiative. The PCF follows the same logic providing the assistance to the Eastern Partnership countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine) in various areas on both a regional and country specific level. The implementation started on 1 January 2015 and is planned to conclude on 31 December 2017.

The Thematic Programme's Theme III: "Fight against Corruption and Fostering Good Governance/Fight against money-laundering" is one of the PCF pillars focused on supporting reforms and strengthening regional capacities to prevent and fight corruption, money laundering and terrorist financing. It consists of:

- one Regional Component (involving all six Eastern Partnership countries); and
- four country specific interventions (projects for Azerbaijan, Belarus, Georgia and Ukraine).

The second year of the PCF cycle was characterised by an intensive pace of implementation of PCF Programme activities in accordance with the agreed workplan. In 2016, the PCF Programme successfully implemented 6 activities including 55 actions, involving 1052 EaP officials (of which 290 were women [27.56%] and 755 were men [72.44%]), thereby finalizing 97% of planned actions for 2016. Building-up on initial efforts made in 2015, during 2016 the PCF Programme actions continued assisting EaP countries with legislative and policy changes and building and strengthening corruption prevention and repression tools. Ten expert advisory papers and 3 model laws were produced and made available, contributing to on-going policy and legislative reforms in the EaP region. Furthermore, a total of 27 capacity building actions (workshops, seminars and conferences) for representatives of the preventive and enforcement sector took place. Forty-one international and 12 national experts were engaged in providing advice and training to the EaP.

The *PCF Regional Project "Fight against Corruption and Fostering Good Governance/Fight against money-laundering"* (PCF-REG) provided the EaP countries with model laws on Liability of Legal Entities, Integrity Testing and Lobbying (with explanatory memoranda) in an effort to support on-going and future legislative reforms in these fields. In addition to the above, practitioners from the EaP region were equipped with the Practical Guide on Investigating and Prosecuting Economic Crime and the Training Module on Whistleblower Protection, aimed at fostering specialisation in these two important areas.

In Azerbaijan, the PCF Project “*Strengthening capacities to Fight and Prevent Corruption in Azerbaijan*” (PCF-AZ) interventions were geared toward supporting the drafting process of the National Action Plan on Promotion of Open Government 2016-2018¹; developing the electronic platform for monitoring and reporting on the implementation of the National Action Plan on Promotion of Open Government; strengthening training capacities of the Commission on Combatting Corruption and Civil Service Commission² by developing tailor-made anti-corruption and ethics curricula and materials for public officials; and reinforcing law enforcement capacities by providing specialised trainings on complex economic crime issues.

The Belarus PCF Project “*Good governance and fight against corruption in Belarus*”, which only started in 2016, contributed to ongoing discussions on development of national risk assessment frameworks for corruption and other types of economic crime. Separately, prosecutors and law enforcement officers increased their knowledge on liability of legal entities which should facilitate smoother implementation of recently introduced administrative sanctioning for legal entities committing economic crimes.

In Georgia, the PCF “*Project on Combating Money Laundering and Terrorist Financing*” (PCF-GE) focused on providing expert recommendations on improvement of the national anti-money laundering/counter terrorist financing (AML/CFT) legislative framework in line with applicable international standards, developing capacities of AML/CFT supervisory agencies, and enhancing specialisation of law enforcement and criminal justice sector institutions on issues including liability of legal entities for economic crime and asset recovery.

In Ukraine, the PCF Ukraine Project “*Fight against Corruption*” – Open Advisory Facility (PCF-UA) continued providing the authorities with expert advice on proposed changes to legislation, continued supporting the National Anti-Corruption Bureau of Ukraine develop its operational capacities and expertise on issues including use of mutual legal assistance, and guided the National Agency for Corruption Prevention in developing key prevention tools such as the national corruption risk assessment methodology.

In year two of the project cycle, the PCF Programme has not experienced any major setbacks. Shift in priorities of beneficiary institutions, emerging duplicative projects and overall donor fatigue continue to have an impact on planning and implementation of activities, albeit to a lesser extent than in 2015 which to a great extent can be attributed to the good working relations between the PCF Project Team and representatives of the beneficiary institutions.

¹ Formerly National Anti-Corruption Action Plan (NACAP)

² As of April 2016, the CSC is under the authority of the State Examinations Centre.

3 DESCRIPTION OF ACTION

3.1 Context of Cooperation

The European Union launched the Eastern Partnership initiative (EaP) on 7 May 2009 at a Summit with its Eastern Partners. The Partnership sets out an ambitious path for tighter relations between Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine, through bilateral and multilateral activities. One component of the Eastern Partnership was the “Eastern Partnership – Council of Europe Facility Project on Good Governance and Fight against Corruption”, implemented from March 2011 until December 2014 (www.coe.int/eap-corruption).

The current Project “Fight against corruption and fostering good governance/ Fight against money-laundering”, under the CoE/EU Eastern Partnership Programmatic Co-operation Framework (PCF), represents a continuation of the previous Eastern Partnership assistance. It combines a Regional Component (involving all six Eastern Partnership countries) with Country Components for Azerbaijan, Belarus, Georgia and Ukraine. Whereas Country Components for Azerbaijan, Belarus and Ukraine primarily focus on combating corruption, the focus of the Country Component for Georgia is on fighting money-laundering.

The PCF as a whole is composed of five programmatic areas agreed between the European Commission and the Council of Europe. It stems from the Statement of Intent signed on 1 April 2014 by the Secretary General of the Council of Europe and the EU Commissioner for Enlargement and Neighbour Policy and has been developed pursuant to the Council of Europe and EU Policy priorities in the context of the Eastern Partnership, while relying on the Council of Europe expertise in standard-setting, monitoring and cooperation. “Fight against Corruption and Fostering Good Governance/Fight against money-laundering” is one of the pillars covered by the PCF. It is focused on supporting current reforms in the field of fight against corruption and money-laundering/terrorist financing and building good governance.

3.2 Approach

The Council of Europe has developed multidisciplinary expertise in the economic crime field for over a decade through standards setting, compliance monitoring, and provision of technical assistance. This knowledge has been the backbone of assistance to EaP countries in the previous period and will be used to deliver assistance on the regional and country level under the PCF platform.

In contrast to the previous EaP assistance format which was predominantly regional, with discrete country input, the PCF framework combines an overarching regional component

aimed at all six EaP countries with four country specific components (for Azerbaijan, Belarus, Georgia and Ukraine). The regional component itself is a combination of regional and pilot activities. Regional activities engaging all six countries will allow for mobilisation of Council of Europe expertise, peer-to-peer reviews and advice, and the exchange of good practices among participating countries. Pilot activities will provide tailored assistance in response to individual country priorities in all six countries. Being run under the same programmatic platform, the regional and country components will mutually inform one another in an effort to provide individual countries, and the region as a whole, sufficient knowledge and expertise.

This also translates to thematic areas being covered under the programme. In line with identified key country needs and priorities, four country components have been developed to cover corruption/good governance or money laundering/terrorist issues specific for each country, respectively, while the regional component aims at addressing issues that emerge as common themes and address needs in areas outside the focus of country specific projects. Support is being extended in the areas of:

- 1) Policy and legislative reform;
- 2) Development of operational tools and procedures;
- 3) Development/strengthening of institutional operational and professional capacities;
- 4) Development /strengthening of inter-agency cooperation;
- 5) Development/strengthening of educational/training/awareness raising capacities.

4 PROJECT OBJECTIVES

4.1 Ukraine Project: (PCF-UA)

Overall Objective: Contribute to democracy and the rule of law through prevention and control of corruption in Ukraine.

Specific Objectives: Strengthen institutional capacities to counter corruption in Ukraine, in accordance with European standards, through targeted technical assistance.

5 WORKPLAN/ACTIVITIES

5.1 Ukraine Project: (PCF-UA)

Expected Result I: Increased compliance with anti-corruption legislation

Throughout 2016, PCF-UA continued contributing to on-going anti-corruption reforms in the country by providing three expert opinions on draft/existing legislation based on international standards and comparative good practices. The PCF-UA provided the authorities with review and country specific recommendations on the draft Civil Confiscation Law, proposed changes to legislation concerning the prosecution service (Draft Law 1177), and legislative provisions regulating financial control of asset declarations (Section VII of the Law on the Prevention of Corruption). Advice provided under the PCF-UA has resulted in reconsideration of solutions critiqued by experts and consideration of possible amendments of the existing legislation recommended by CoE experts.

Expected Result II: Strengthen capacities of National Anti-corruption Bureau (NABU)

PCF-UA continued strengthening operational capacities of the National Anti-Corruption Bureau of Ukraine (NABU) focusing on development of specialisation regarding operational good practices, international cooperation and establishment of NABU internal control mechanisms. As a result, NABU detectives have acquired knowledge and skills necessary for gathering case-specific information and evidence located abroad and key for establishing internal operational policies. Similarly, NABU internal controls staff has developed knowledge and understanding of possible internal controls tools, methods on identifying and reporting internal violations, and working with whistleblowers. They were moreover provided with expert recommendations which will be the basis for development of a set of internal operational policies in 2017.

Expected Result III: Strengthen Institutional capacities for (Recovered/Seized) Asset Management

As stated above, in 2016 the PCF-UA support to Ukrainian authorities in regards to asset recovery focused on provision of expert advice concerning the introduction of civil asset recovery (Draft Law 1177). The expected main beneficiary under this ER, the Asset Recovery Office, has not been set-up yet.

Expected Result IV: Support National Agency for Prevention of Corruption (NAPC) and strengthening of anti-corruption prevention measures

PCF-UA has begun providing support to the National Agency for the Prevention of Corruption (NAPC) shortly following its establishment in spring of 2016. Assistance efforts were focused on development of several key institutional instruments, namely the NAPC

key performance indicators and internal performance benchmarks, the national corruption risk assessment methodology, and guidelines for development of public sector anti-corruption programs. Through expert advice provided under PCF-UA, up until the end of 2016, the NAPC prepared its Performance Assessment Framework and the national corruption risk assessment methodological guidelines. Work on formulation of key performance indicators based on the Performance Assessment Framework and finalization of guidelines for development of public sector anti-corruption programs is expected at the beginning of 2017.

Separately, and prior to establishment of the NAPC, PCF-UA supported the efforts of the Presidential Administration and the National Agency for Public Service in developing General Rules of Ethical Conduct for Civil Servants and Local Government Officials of Ukraine. Through meetings between CoE experts and members of the working group tasked with preparing the draft General Rules, and recommendations on the draft text, the Presidential Administration and the National Agency for Public Service working group was equipped with specific guidance on how to proceed with developing the General Rules, in line with international standards and good comparative practices. The process was unfortunately put on hold later in the year due to conflict in legislation regarding jurisdiction over this effort which is yet to be resolved.

6 MODIFICATION[S], ASSUMPTIONS, RISKS AND SUSTAINABILITY

6.1 Modification

In 2016, the PCF Programme had only one minor modification regarding PCF-BE activities. The Belarus authorities requested that the initially proposed activity under ER 2 “training on inclusion of NGOs in fight against corruption” be eliminated to provide room for more specialised trainings on economic crime issues for the criminal justice and law enforcement authorities.

6.2 Assumptions, risks and sustainability

Implementation of all five projects largely relies on the following assumptions:

- Overall political will and continuity in carrying out reforms;
- Willingness of national authorities to adapt policies, in line with the EU and Council of Europe norms and standards;
- Capacity of specific beneficiary institutions to absorb assistance;
- Readiness of specific beneficiary institutions to address issues;
- Capacity and readiness of beneficiary institutions to use the acquired knowledge/assistance.

During 2016, the five PCF projects have faced substantive and operational challenges that affected implementation of project activities to a lesser degree due to mitigating measures put in place by the PCF Project Team after year one of the PCF Programme cycle. The below issues nonetheless continued to be present or had emerged in 2016 requiring further adjustments in order to ensure successful during implementation .

6.3 Substance related issues

Simultaneous and Multiplying requests: The PCF Project Team continues to receive new requests for assistance, which is largely a reflection of emerging issues in the countries. In 2016, the PCF Programme has accommodated a number of such requests where the overall substantive framework, the time-line, and the budget permitted it. However some requests could not be addressed due to overall PCF Programme substantive and implementation constraints;

Rise of twinning projects with substantive overlap: In 2016, the PCF Project Team has witnessed the emergence of a new (post PCF start date) number of EU funded twinning projects which overlap, to different degree, with the PCF Programme. This development has created a degree of confusion among beneficiaries, especially where assistance being provided would not be in-sync, and provided room for local beneficiaries to pick and choose the modality of assistance they prefer (e.g. study visits instead of in-country trainings). Steps are being taken to adjust to such new realities as they occur, however this situation seem to persist and create a challenging environment for the programme management and re-design of certain agreed activities.

Slowness of beneficiaries to identify needed assistance: During 2016, the Project Team has faced on at least two occasions (PCF-REG Pilot activities for Azerbaijan and Belarus) inability of beneficiaries to fully and firmly articulate modalities of expected assistance. Although general agreement would be reached on areas of cooperation and first actions would be taken, the beneficiaries would subsequently either abstain from further discussions or the information provided would disable further assistance in the specific area.

6.4 Operational related issues

Local recruitment of project staff/instability: Although to a much lesser extent, the issue of staff recruitment continued to be present in 2016. Due to the lower level of interest and greater percentage of unsuitability of applicants, the PCF Project Team faced significant delay in replacing one staff member who left at the end of 2015. A suitable replacement was hired only in June 2016.

Donor congestion and absorption capacity fatigue: Significant but disconcerted donor community continues to have a noticeable impact on the overall distribution of assistance in Ukraine. Simultaneous requests for assistance to different technical assistance providers continue, as does an atmosphere where rapid delivery and quantity is valued over quality and thorough analysis. The PCF Project Team continues taking measures to minimize the impact of this setting to implementation of project activities.

7 LEVEL OF PROGRESS: ACTIVITY AND ACTION BASED APPROACH

The achievements relating to the expected results of the projects are assessed below taking into consideration actions effectively delivered, project outcome indicators, and Year II output indicators:

7.1 PCF-UA

Expected Result I: Increased compliance with anti-corruption legislation	
Outcome indicators	▪ Level and percentage of implementation of anti-corruption reform is increased; ▪ GRECO compliance report recommendations are dealt in an effective manner;
Year II output indicators	▪ At least three proposed pieces of anti-corruption legislation have been reviewed vis-à-vis applicable Council of Europe and other international standards;
Year II actions	▪ Expert Opinion on: Draft Law of Ukraine on amendments to certain legislative acts of Ukraine regarding the ensuring of unjustified assets recovery into the revenue of the State; ▪ Expert Opinion on: Financial Control of Asset Declarations in Ukraine (Section VII of the Law “On Prevention of Corruption” – LPC); ▪ Joint Opinion on the draft amendments to the laws concerned with the functioning of Prosecution in view of the amendments to the Constitution of Ukraine (Draft Law 5177).
Progress made under ER 1	Ukrainian Parliament provided with expert analysis and recommendations concerning Draft Civil Confiscation Law, draft amendments to the laws concerned with the functioning of Prosecution in view of the amendments to the Constitution of Ukraine, and the existing provisions of the Law on Prevention of Corruption that cover financial control of asset declarations. Recommendations were developed based on international standards and good practices on each of the issues reviewed.
Expected Result II: Strengthen capacities of National Anti-corruption Bureau (NABU)	
Outcome indicators	▪ Significant increase in the number of trained capacities / people leading and being involved in the implementation of the regulatory framework establishing relevant anti-corruption institutions;
Year II output indicators	▪ Prosecutors and investigators have been trained on anti-corruption and economic crime investigation issues such as asset recovery and mutual legal assistance; ▪ Staff of specialised anti-corruption bodies has been introduced to

	good practices in management and operations of specialized anti-corruption bodies;
Year II actions	▪ NABU mentoring session on operational issues, 25 January 2016; ▪ Training on International Cooperation in Case Investigations, 2 – 5 February 2016; ▪ Workshop on Good practices with law enforcement anti-corruption internal controls, 27 – 28 October 2016; ▪ Workshop on Integrity testing and whistleblower protection within law enforcement internal controls, 21 – 22 November 2016.
Progress made under ER 2	NABU senior and middle management provided advice on development of internal operational policies. NABU detectives educated on good practices with using informal and formal mutual legal assistance in case investigations. Internal Controls Department of NABU advised on good practices regarding organizational structures, operational protocols, and tools used for internal control purposed within specialised law enforcement bodies.
Expected Result III: Strengthen Institutional capacities for (Recovered/Seized) Asset Management	
Outcome indicators	▪ Significant increase in the number of trained capacities / people leading and being involved in the implementation of the regulatory framework establishing relevant anti-corruption institutions;
Year II output indicators	▪ Expert recommendations, developed in consultations with major stakeholders, are provided to the national authorities;
Year II actions	▪ Expert Opinion on: Draft Law of Ukraine on amendments to certain legislative acts of Ukraine regarding the ensuring of unjustified assets recovery into the revenue of the State.
Progress made under ER 3	In 2016, the focus of support regarding asset recovery was on review of the existing asset recovery regimes and proposed draft non-confiscation based solutions. The Parliament was given expert recommendations on how to proceed, taking into consideration applicable international standards and good practices.
Expected Result IV: Support National Agency for Prevention of Corruption (NAPC) and strengthening of anti-corruption prevention measures	
Outcome indicators	▪ Increase in the number of recommendations issued and addressed in sectorial reforms to prevent corruption;
Year II output indicators	▪ Basis of corruption proofing, integrity testing, and risk assessment tools are developed; ▪ At least one anti-corruption awareness raising activity has been

	supported.
Year II actions	▪ Expert Opinion on: Draft of General Rules of Ethical Conduct for Civil Servants and Local Government Officials of Ukraine; ▪ Working meeting on development of NACP corruption risk assessment methodology, 29 – 30 September 2016; ▪ Expert comments: on the draft Methodology for assessing corruption risks in operations of authorities; ▪ Working meeting on development of NACP key performance indicators and internal progress benchmarks, 6 – 7 October 2016; ▪ NACP Performance Assessment Framework ▪ "Corruption as a threat to the national security: preventing, combating, prosecuting" Conference, 29 November 2016; ▪ Introductory training to "Corruption risk assessments and anti-corruption programs for the public sector", 30 November 2016; ▪ Expert discussion on the NACP Draft Corruption Risk Assessment Methodology for the public sector, 1 December 2016.
Progress made under ER 4	The NACP provided expert advice in the process of development of the national corruption risk assessment methodology, anti-corruption guidelines for the public sector, and the Performance Assessment Framework (a precursor to development of key performance indicators). Separately, the Presidential Administration and the National Agency for Public Service Working Group tasked earlier in 2016 to develop General Rules of Ethical Conduct for Civil Servants and Local Government Officials were provided with guidance and recommendations on good practices in regulating ethical issues. Separately, PCF-UA supported cross-sector dialogue on implemented anti-corruption reforms and outstanding challenges aimed at building consensus on ways forward for Ukraine.

8 COOPERATION WITH STAKEHOLDERS

8.1 Ukraine

In 2016, cooperation under the PCF-UA has somewhat improved, largely due to the previous PCF National Coordinator and efforts of the PCF-UA National Officer. With the formation of the National Agency for the Prevention of Corruption (NAPC), the beneficiary landscape has also expanded, which led to an increase of strategic activities. Degree of indecisiveness of beneficiaries in terms of priorities and related assistance needs continues, as does the submission of “urgent” assistance requests. Worth of noting is a slight delay in exchange of information.

8.2 Third parties/Partners

The PCF Project Team continues to liaise with international organizations working on the same and similar issues in the EaP countries (e.g. UNDP, UNODC, OECD, GIZ, U.S.DOJ, U.S. DOS/INL, country specific twining projects) in order to ensure complementarity and avoid overlap. This remains most pertinent for Ukraine which is experiencing an influx of technical assistance programs in the field. At least two activities were successfully implemented jointly with partner organizations: a) the Asset Recovery training in Georgia, with cooperation from the law enforcement attaché at the French Embassy in Georgia; and b) the “Corruption as a threat to the national security: prevention, combating, and prosecution” Conference in Ukraine, in cooperation with the OSCE. The PCF Project Team continues to take part in donor coordination groups and continues to exchange information on activities with organisations represented in the five EaP countries. No major challenges regarding cooperation have been observed, but overlap of project portfolios has been noted in Azerbaijan and to a higher extent in Ukraine. Beneficiary inclination to request the same type of assistance from several donors and to go with the first provider continues to persist.

9 VISIBILITY OF THE PROJECT

Visual identity of PCF Programme components’ follows the PCF Communications Strategy, agreed between the European Union and the Council of Europe, and is applicable to all programmatic outputs, including official communication, technical papers, activity agendas and presentations, news/media feeds, and project visibility kits (i.e. banners, folders, notepads, and pens).

The PCF-Corruption Programme is paying particular attention to visibility of its interventions. Key Programme documents and information on programmatic events and deliverables (e.g. expert opinions on reviewed legislation) can be found on the webpage of the Council of Europe Economic Crime Cooperation Division (<http://www.coe.int/corruption>) and webpage sections specifically dedicated to the five PCF Programme components

(www.coe.int/PCF-EaP2). Information about specific country activities can also be found on webpages of Council of Europe offices in respective countries (see, Council of Europe Office in Georgia - <http://www.coe.int/en/web/tbilisi>; and Council of Europe Office in Ukraine - <http://www.coe.int/en/web/kyiv>) and office newsletters (see Annex III).

In addition to the two promotional clips on the PCF-Corruption Programme and its interventions in Georgia and Ukraine which were developed in 2015, similar was done in 2016 for the project in Azerbaijan depicting support provided to national counterparts through this initiative (<https://www.youtube.com/watch?v=sd1xRIGalvc>).

Lastly, information on PCF programmatic interventions continues to be readily available within EaP countries through webpages and media feeds of respective partner and beneficiary institutions (see Annex II).

10 CONCLUSIONS

In the 2nd year of implementation the PCF Programme was fully focused on activity implementation on the regional and country level. Six activities and 55 actions were realized, thereby completing 97% of the planned PCF Programme interventions for 2016. In doing so, the PCF Programme produced 10 expert advisory papers and 3 model laws for the EaP region and conducted 27 capacity building workshops, seminars and conferences.

Among the major contributions of the PCF-REG project has been providing EaP countries with model legislation and operational guidelines on a number of relevant topics, including liability of legal entities, integrity testing, and whistleblower protection. This has been recognised by country authorities, including Ukrainian and Armenian, who are already undertaking specific reforms in relation to these topics. The PCF-REG pilot scheme continues to be a well-designed modality for responding to country specific needs as they arise, a prevailing occurrence in the region due to on-going or frequent reforms.

On the country level, PCF-AZ has provided marked support to strengthening the training capacities of the Commission on Combating Corruption and the Civil Service Commission and specialised operational capacities of the Anti-Corruption Directorate under the General Prosecutor and other judicial, investigative and financial intelligence bodies. It furthermore served as the main facilitator of expert and public dialogue regarding the draft National Anti-Corruption and Open Government Action Plans on Promotion of Open Government 2016-2018 and source of substantive expert advice for the two Working Groups. In Belarus, the PCF-BE provided contribution to ongoing discussions regarding national risk

assessment frameworks for corruption and other types of economic crime and begun building law enforcement expertise on liability of legal entities.

The main achievement of PCF-GE in 2016 was the provision of three sets of expert recommendations on improvement of AML/CFT legislation to Georgian authorities that should provide a basis for upcoming amendments and guidelines to supervisory authorities on sectoral implementation and oversight of AML/CFT rules in Georgia. In Ukraine, the PCF-UA provided valuable advice to the legislature on several of pieces of draft legislation which were not fully in conformity with applicable international standards and practices and contributed further to institutional operability of the National Anti-Corruption Bureau of Ukraine and the National Agency for Corruption Prevention through capacity building programs and expert mentoring. Both the PCF-REG and the country interventions are in good direction toward achieving the PCF Programme specific objectives.

Several PCF Programme activities have not progressed in the expected pace, namely the PCF-REG Pilot activities for Azerbaijan and Belarus, due to beneficiary slowness in identifying needed assistance (e.g.).

11 ANNEX I: WORKPLANS OF ACTIVITIES

Separate attachment.

12 ANNEX II: VISIBILITY

Council of Europe Economic Crime and Cooperation Webpage

Council of Europe

Human Rights and Rule of Law

The Council in brief | Human Rights | Democracy | Rule of Law | Organisation | 47 Countries | Topics | Newsroom

Action against economic crime

Programmatic Cooperation Framework for Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine and Belarus

Funded by the European Union and the Council of Europe

Implemented by the Council of Europe

EU-CoE Programmatic Cooperation Framework (PCF) in the Eastern Partnership Countries

Fight against Corruption and Fostering Good Governance / Fight against Money-Laundering

The EU launched the Eastern Partnership (EaP) on 7 May 2009 at a Summit with its Eastern Partners. The Eastern Partnership sets out an ambitious path for deeper relations with Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine, through a bilateral and a multilateral dimension. Part of the Eastern Partnership activities was the "Eastern Partnership - Council of Europe Facility Project on Good Governance and Fight against Corruption", implemented from March 2011 until December 2014.

The current "EU-CoE Programmatic Cooperation Framework (PCF) in the Eastern Partnership countries: Fight against corruption and fostering good governance / Fight against money-laundering" is a continuation of the previous assistance. It combines a Regional project (involving all six Eastern Partnership countries) with additional National projects in four Eastern Partnership countries for a total amount of 3.8 million Euros.

PCF REGIONAL: Fight against Corruption and Fostering Good Governance / Fight against Money-Laundering	PCF AZERBAIJAN: Strengthening capacities to fight and prevent corruption	PCF BELARUS: Good governance and fight against corruption	PCF GEORGIA: Project on Combating Money Laundering and Terrorist Financing	PCF UKRAINE: Fight against Corruption
€ 1.2 M	€ 1 M	€ 0.1 M	€ 0.5 M	€ 1 M
Project Summary Progress reports Workplans/Calendar Deliverables	Project Summary Progress reports Workplans/Calendar Deliverables	Project Summary Progress reports Workplans/Calendar Deliverables	Project Summary Progress reports Workplans/Calendar Deliverables	Project Summary Progress reports Workplans/Calendar Deliverables

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Project beneficiary webpages

Home / News / WORKSHOP ON ANTI-MONEY LAUNDERING AND FIGHTING AGAINST TERRORISM FINANCING

06 June 2016 | News

WORKSHOP ON ANTI-MONEY LAUNDERING AND FIGHTING AGAINST TERRORISM FINANCING

Workshop dedicated to Anti-Money Laundering and Fighting against Terrorism Financing was held at Rooms Hotel in Tbilisi on June 6, 2016 as organized by the Council of Europe Office in Georgia.

H.E. Nodar Khaduri, Minister of Finance of Georgia and Chairman of Inter-Agency Council on Anti-Money Laundering and Fighting against Terrorism Financing officially launched the meeting, along with Mr. Christian Urse, Head of Council of Europe Office in Georgia.

Discussions were held on current international standards and mechanisms of Anti-Money Laundering and Fighting against Terrorism Financing, along with efforts made by Georgia within this context.

"Money laundering and terrorism financing remains one of the most serious challenges of the modern world. We have been working on the task for the last several years. Inter-Agency Council has been established and led by the Ministry of Finance. Today we have gathered within such council to share the experience of our partners – European Union and Council of Europe. Georgia has developed a Strategy for Anti-Money Laundering and Fights against Terrorism Financing. Implementation has been commenced and all the commitments made by the country comply with the visa-liberalization process have been honored" noted the Minister of Finance of Georgia.

"We shall discuss the issues related to the Anti-Money Laundering and Fight against Terrorism Financing in Georgia at the meeting held today by the Council of Europe. We are delighted that the meeting is attended by our experts, who have wealth of experience in the topics covered here. We shall also talk with Inter-Agency Council Members on the measures that the country should make against money laundering and terrorism financing. It covers improvement of the legislation and capacity building" noted Mr. Christian Urse, Head of Council of Europe Office in Georgia.

Participants of the Workshop also discussed the MONEYVAL Report released in 2012 by the Committee of the Council of Europe Assessment Experts and recommended action plan, National AML/CFT Strategy and Action Plan of Georgia and Risk Assessment Analysis documents.

Various ministry officials, international and local experts also took part in the discussions.

Sidebars include links to: Citizens Guide 2016 State Budget, Economic Review, Public Internal Financial Control, Council of Tax Appeals.

* Report on the PCF-GE Workshop on Combating Money Laundering and Terrorist Financing in Georgia posted on the webpage of the Ministry of Finance, 6 June 2016



* Report on the public discussion on the Draft National Anti-Corruption Action Plan posted on the webpage of the Commission on Combatting Corruption of the Republic of Azerbaijan, 16 March 2016



* Information on the training on Plea Bargaining and Non-Prosecution Agreements posted on the webpage of the Anti-Corruption Directorate with the General Prosecutor of the Republic of Azerbaijan, 18 May 2016



Національне агентство з питань запобігання корупції - НАЗК added 8 new photos.

October 7 · 🌐

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В НАЗК працюють над виробленням критеріїв оцінки ефективності роботи

Сьогодні, 7 жовтня, у Національному агентстві з питань запобігання корупції фахівці НАЗК, національні експерти, експерти Ради Європи за участю представників громадянського суспільства обговорили можливі критерії оцінки роботи НАЗК та вплив Агентства на ситуацію з корупцією в Україні.

Як заявила Голова НАЗК Наталія Корчак: «Процес створення нової інституції завжди є не простим, а антикорупційною тим більше. При цьому надзвичайно важливим і невід'ємним елементом будь-якої діяльності – є підведення її підсумків, оцінка ефективності реалізації».

Під час дискусії представники НАЗК поінформували про здійснену роботу та представили перелік основних статистичних показників роботи Національного агентства з питань запобігання корупції. Ці показники характеризують діяльність НАЗК за кожним із функціональних напрямів – антикорупційна політика, організація заходів із запобігання та виявлення корупції, моніторинг дотримання законодавства про конфлікт інтересів та інших обмежень щодо запобігання корупції, фінансовий контроль та моніторинг способу життя, запобігання політичній корупції.

Визначені статистичні дані дозволяють проводити збір кількісних та якісних показників, які використовуватимуться при здійсненні системного аналізу діяльності НАЗК, зокрема при підготовці щорічного звіту про діяльність та проекту щорічної доповіді щодо реалізації засад антикорупційної політики.

В рамках зустрічі експерт Ради Європи Михайло Буроменський представив позицію експертного середовища щодо можливості проведення зовнішнього оцінювання ефективності роботи НАЗК в розрізі впливу на ситуацію з корупцією в Україні.

У свою чергу, інший експерт Ради Європи Мар'яна Тріуновіч відзначила інноваційність підходу НАЗК щодо оцінки діяльності превентивного антикорупційного органу, особливо з урахуванням того, що відповідного міжнародного досвіду дуже мало, а також запропонувала деякі підходи до формулювання критеріїв ефективності НАЗК.

Член НАЗК Руслан Рябошапка підкреслив необхідність здійснення внутрішньої та зовнішньої експертної оцінки, зважаючи на те, що проведення лише внутрішньої оцінки не відображає повною мірою ситуацію щодо ефективності роботи НАЗК.

Своїм досвідом моніторингу діяльності антикорупційних органів та можливими критеріями оцінки ефективності їхньої роботи поділились також представники антикорупційної групи РПР.

Національне агентство висловлює подяку офісу Ради Європи в Україні за підтримку у проведенні експертної дискусії, а також представникам неурядових організацій – за участь у обговоренні та надані коментарів.

Ознайомитись із презентаціями можна тут:

<https://goo.gl/D2Xh65>

<https://goo.gl/5yqHpf>

<https://goo.gl/Ma9URD>

#NAZK #РадаЄвропи #РПР

* News on the PCF-UA Working meeting regarding the development of NACP key performance indicators and progress benchmarks, 7 October 2016

Media coverage of PCF actions



Istanbul derbisi:
"Fanarbağca"
"Qalatasaray"ı pərişan etdi
- YENİLƏNİB - VIDEO -

İlin ən soyuq görüşü -
PUTİN və OBAMA -
VIDEO - FOTO



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SIYASƏT

CƏMİYYƏT

DAŞLIQ QARABAĞ MÜNAZIRƏSİ

İQTİSADİYYAT

DÜNYA XƏBƏRLƏRİ

HADİSƏ

İOMAN

MƏDƏNİYYƏT

Baş prokurorluq təmsilçiləri beynəlxalq təcrübənin öyrənilməsində fəaliyyətlərini davam etdirirlər

18 May 2018 12:09 (UTC+04:00)










Baki. Trend:

Baş prokuror yanında Korupsiyaya qarşı Mübarizə Baş İdarəsi beynəlxalq təcrübənin öyrənilməsi istiqamətində fəaliyyətini uğurla davam etdirir.

Baş Prokurorluqdan Trend-ə verilən məlumata görə, cari ilin 16-17 may tarixlərində Baş prokuror yanında Korupsiyaya qarşı Mübarizə Baş İdarəsində Avropa İttifaqı və Avropa Şurasının birgə maliyyələşdirilən və Avropa Şurası tərəfindən heyətə keçirilən "Program Əməkdaşlıq Çərçivəsi" layihəsi üzrə "Çirkli pulların yuyulmasına qarşı mübarizə" və "İstintaq sōvdeleşməsi" mövzularında tədbir keçirilmişdir.

Tədbirdə Azərbaycan Respublikası Baş Prokurorluğu, Daxili İşlər Nazirliyi, Dövlət Təhlükəsizliyi Xidməti, Vergilər Nazirliyi, Maliyyə Nazirliyi, Fövqəladə Hallar Nazirliyi, Dövlət Gömrük Komitəsi, Dövlət Sərhəd Xidməti, Auditorlar Palatası, Hesablaşma Palatası, Maliyyə Bazarlarına Nəzarət Palatasının Maliyyə Monitorinq Xidmətinin nümayəndələri və birinci instansiya məhkəmələrinin hakimləri iştirak etmişdir.

Baş İdarənin Təşkilatı və İnformasiya təminatı İdarəsinin rəisi Oxan İsayev tədbirdə çıxış edərək korupsiyaya qarşı mübarizənin Azərbaycanda dövlət siyasətinin prioritet istiqaməti olmasını vurğulamaqla bu mübarizənin möhkəm siyasi iradəyə əsaslandığını qeyd etmiş, bu sahədə dike daxilində, eyni zamanda beynəlxalq səviyyədə əməkdaşlığın böyük əhəmiyyət kəsb etdiyini bildirmişdir.

İki gün davam edən tədbirdə Avropa Şurasının ekspertləri Nicole Voorhuis, Jonathan Fisher və Cedric Bourgeois tərəfindən çirkli pulların yuyulmasına qarşı mübarizənin aspektləri, bu kateqoriyadan olan cinayətlərdə mübarizə sahəsində müsbət təcrübə, istintaq sōvdeleşməsi institutunun ölkəmizdə tətbiqi yolları barədə təqdimatlar heyətə keçirilmişdir.

Qarşılıqlı müzakirə formatında baş tutan tədbirlərdə çirkli pulların yuyulmasına qarşı mübarizə və istintaq sōvdeleşməsi ilə əlaqədar tədris tapşırıqları iştirakçılar tərəfindən müvəffəqiyyətlə icra edilmiş, iştirakçıların maraqlandıran suallar ətrafı müzakirə edilmişdir.

Azərbaycan Respublikasının prokurorluq orqanları bundan sonra da korupsiyaya qarşı mübarizə sahəsində beynəlxalq əməkdaşlığın inkişaf etdirilməsi, digər dövlətlərin hüquq mühafizə orqanları və bəsləşdirilmiş anti-korupsiya qurumları ilə əməkdaşlıq əlaqələrinin daha da gücləndirilməsi, bu sahədə qabaqcıl beynəlxalq təcrübənin öyrənilməsi istiqamətində fəaliyyətini davam etdirəcəkdir.

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- ▶ XİN rəsmisi: Ermənistan Dəqiq Qarabağ münaqişəsi ilə bağlı suostantiv dəngiqlərə mane olur

* Trend News Agency Report on PCF-AZ Training on Plea Bargaining and Non-Prosecution Agreements, 17 May 2016

Council of Europe Office Facebook Page



* Kyiv Council of Office Facebook page