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Support to Good Governance: Project against Corruption in Ukraine - UPAC

6th Progress Report

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For any additional information please contact:

Corruption and Fraud Unit
Economic Crime Division
Directorate of Co-operation - DG-HL
Council of Europe
F-67075 Strasbourg Cedex FRANCE
Tel +33 388 41 29 76/Fax +33 390 21 56 50
Email: lado.lalacic@coe.int
Web: www.coe.int/economiccrime

The views expressed in this technical report do not necessarily reflect official positions of the Council of Europe or of the donor funding this project.

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1 Background Information

UPAC – Support to Good Governance: Project against Corruption in Ukraine started on 8 June 2006. The present report summarises the activities carried out since the last project report of 15 February 2009 until 20 June 2009. The project was originally foreseen to last until 7 June 2009. However, following the conclusions of the 6th Steering Committee meeting, the project was extended by the end of 2009.

Beneficiary country and institutions

Ukraine

Primary beneficiary: Ministry of Justice of Ukraine.

Project Partners: Ministry of Justice, Council of National Security and Defence, Office of the Prosecutor General, Ministry of Interior, and other institutions represented in the Steering Committee.

Contracting authority

European Commission (EC).

Implementing organisation

The Council of Europe is responsible for the implementation of the project and the use of the project funds under the contract with the European Commission. Within the Secretariat of the Council of Europe in Strasbourg, the Economic Crime Division (Technical Co-operation Department, Directorate of Co-operation, Directorate General of Human Rights and Legal Affairs) is responsible for overall management and supervision of the project. The Team Leader and local support staff, based in Kyiv, have been working directly with, and through, the Ministry of Justice and other project partner institutions.

2 The Project

2.1 Project Objectives and activities

UPAC's objective is to strengthen the Ukrainian authorities' capacities and legal framework for the fight against corruption, in order to achieve this objective, the project is designed to work in three complementary directions:

1. It aims at supporting the adoption, elaboration and implementation of a Ukrainian National Anti-corruption Strategy and Action Plan against Corruption, and the creation of an efficient and effective monitoring mechanism to oversee and co-ordinate the implementation of the Strategy and Action Plan;
2. It supports policies aimed towards strengthening the institutional capacities of Ukraine against corruption;
3. It assists Ukraine in the approximation and harmonisation of its legal framework against corruption with European and international standards, in particular those set by the Council of Europe Criminal and Civil Law Conventions against Corruption, and the United Nations Convention against Corruption.

UPAC aims at reaching its objectives through the provision of targeted expertise by European experts, in close co-operation with Ukrainian experts, and through outreach to all relevant stakeholders and civil society on the expertise acquired. UPAC Working plan contains also study tours to European partner institutions to facilitate networking and sharing of lessons learned and best practices.

2.2 Summary of Project Outputs/Purposes and Results

Overall objective	To contribute to the prevention and control of corruption so that it no longer undermines the confidence of the public in the political and judicial system, democracy, the rule of law and economic and social development in Ukraine
Purpose 1	To improve the strategic and institutional framework against corruption in Ukraine
Output 1.1	Anti-corruption strategy and Action Plan available <i>Results: The strategy (Concept paper "On the way to integrity") was adopted by a decree of the President of Ukraine on 11 September 2006, the Action Plan to implement the Strategy was adopted by a Resolution of the Cabinet of Ministers on 15 August 2007, the Cabinet of Ministers</i>
Output 1.2	Effective monitoring, coordination and management of anti-corruption measures ensured <i>Result: The institute of the Government Agent for anti-corruption policy was introduced on 4 June 2008, its mandate was approved on 24 April 2009</i>
Output 1.3	Proposals available to ensure the implementation of Article 6 of the United Nations Convention against Corruption regarding preventive anti-corruption body or bodies <i>Result: The principles for prevention of corruption are laid down in one of the three laws of the anti-corruption package, which will enter into force as from 1 January 2010, the UN Convention will enter into force in Ukraine also as from 1 January 2010; Models of anti-corruption bodies studied and analysed, relevant recommendations for Ukraine available; Methodology for anti-corruption proofing reviewed.</i>
Purpose 2	To enhance capacities for the prevention of corruption
Output 2.1	Anti-corruption concerns incorporated into the process of public administration reform ("anti-corruption mainstreaming") <i>Result: The draft laws on Civil Service fully incorporates the anti-corruption mainstreaming, draft laws on public service ethics/conflicts of interest and on financial control of the public service have been tabled to the Parliament; awareness on anti-corruption mainstreaming of the public administration reform raised; system study of corruption risks in public administration (administrative services, control and supervision) with relevant recommendations is available and was presented to the authorities.</i>
Output 2.2	Risks of corruption reduced in the judiciary <i>Result: System study of corruption risks in the judiciary with relevant recommendations is available and was presented to the relevant authorities.</i>
Output 2.3	Risks of corruption reduced in the prosecution and the police <i>Result: System study of corruption risks in the criminal justice system, incl. Prokuratura and police with relevant recommendations is available and was presented to the relevant authorities.</i>
Output 2.4	Conflicts of interest reduced in the political process <i>Result: Draft Concept paper on amendments to the domestic legislation to enhance transparency of funding of political parties and electoral campaigns elaborated, discussed and finalised; study of international experience in funding of political parties and electoral campaigns (based on GRECO 3rd round evaluation reports) prepared and distributed to the relevant authorities; The issues of funding of political parties, immunities, conflicts of interest and lobbying studied and analysed, recommendations prepared and distributed to the relevant authorities.</i>
Output 2.5	Capacities enhanced at the level of local and regional authorities for the prevention of corruption and strengthening of integrity <i>Result: National Handbook on Public Ethics at Local Level prepared and published</i>
Output 2.6	Public participation in the anti-corruption effort promoted <i>Result: Effectiveness and the role of the civil society and private sector in the anti-corruption efforts strengthened; public awareness concerning the ongoing</i>

	<i>reforms raised;</i>
Purpose 3	To strengthen the anti-corruption legal framework and effective and impartial enforcement of the criminal legislation on corruption
Output 3.1	<p>Draft laws available to improve the prevention and control of corruption in accordance with the Criminal and Civil Law Conventions against corruption of the Council of Europe (ETS 173/174), the United Nations Convention against Corruption and other relevant international legal instruments</p> <p><i>Result: Laws of the anti-corruption package have been elaborated in line with relevant CoE and UN conventions, adopted by Parliament and signed by the President of Ukraine; the laws will enter into force as from 1 January 2010;</i></p> <p><i>Draft Law on Amendments to the Criminal Code and Criminal Procedure Code of Ukraine (regarding improvement of confiscation procedures) reviewed and tabled to the Parliament;</i></p>
Output 3.2	<p>Judges trained and specialised in adjudication of corruption, law enforcement officials trained in the investigation and prosecution of corruption offences</p> <p><i>Result: Through the number of trainings organised the MoI and Prokuratura officials from all the regions enhanced their knowledge in detecting, investigating and prosecuting corruption;</i></p> <p><i>judges trained to enhance capacities in adjudicating corruption cases, model pilot training sessions prepared and delivered; training manual is under elaboration;</i></p>

The project provides funding for:

- National conferences
- Expert advice
- Written expert opinions/assessments (expertises)
- Workshops, roundtables and in-country training activities
- Study visits
- Surveys
- Awareness raising activities
- Translations and publications
- Risk analyses
- Development of the terms of reference for a grant programme
- IT equipment (ToRs)

2.3 Project Team

The contracts of Ms Kateryna Gayevska and Ms Valeria Reva as Senior and Junior legal assistants ended on 31st May.

Since then, the UPAC team includes: Mr Roman Chlapak, Team leader and Ms Vlasta Sposobna, Project Assistant.

2.4 Project Office

As during the previous reporting period, the UPAC Project office has been located within the Council of Europe Office in Ukraine, on Khmelnytskoho street no. 70-A in Kyiv.

3 Steering Committee Meeting and Project Activities During the Reporting Period

3.1 Steering Committee Meeting

The Steering Committee meeting took place as scheduled on 27 February 2009 at the premises of the Ministry of Justice of Ukraine. Representatives of partner institutions: Ministry of Justice, Ministry of Interior, National Security and Defence Council, Prosecutor General's Office, Presidential Secretariat, Secretariat of the Cabinet of Ministers, Verkhovna Rada (Parliament), Main Civil Service Department, Accounting Chamber, High Council of Justice and the Academy of Judges participated in the meeting. Also, the UPAC Team Leader, representatives of the

Council of Europe Secretariat and the European Commission Delegation were present (Annex I: List of Participants).

The Steering Committee meeting provided an opportunity to review the progress made since the last meeting held in November 2008.

The representative of the Delegation of the European Commission (EC) in Kyiv, Mr Andrey Spivak informed the participants that the Ministry of Justice of Ukraine and the Council of Europe had sent letters to the EC Delegation requesting project's extension for seven months and that this initiative was expected to be approved.

The Workplan was further updated following the presentations delivered by the partner institutions. The stakeholders agreed on the future activities and the manner in which they should be carried out (Annex II: Updated Workplan of Activities 2008-2009). Thus, the following activities are planned by the end of the project:

- **An expert study on compliance of Ukrainian legislation with the UNCAC provisions (Activity 1.3.1.).** The partner institutions proposed to conduct an expert study on each set of concepts identified in the UNCAC (e.g. system of declaration for public officials, international cooperation, participation of civil society, anti-corruption bodies). The study is expected to analyse the extent of the implementation of the UNCAC in domestic law and describe European practices in relevant matters. The study shall involve one national expert per set of questions and one international expert who will focus on the European countries experiences.
- **System studies on corruption risks within the Public Administration, in particular the fields of administrative services, control and supervision (System Study No 1; activity 2.1.4), the judiciary and the bodies in charge of investigation and prosecution of corruption offences (System Study No 2 and 3; activities 2.2.1, 2.3.1, 2.3.3).** The studies conducted by the Center for Political and Legal Reforms (System Study No 1) as well as by the Kharkiv Institute of Applied Humanitarian Research (System Studies No 2 and 3) are carried out in accordance with the workplan adopted during the 5th Steering Committee in November 2008.
However, it was agreed that the round table on methodology to conduct the system studies on corruption risks assessment within the Ministry of Defence of Ukraine proposed during the previous Steering Committee would not be organised in the framework of UPAC due to the specific area of the Ministry of Defence competencies.
- **Training of public officials on public administration reform in the light of relevant international and European standards (activity 2.1.3).** As agreed during the previous Steering Committee, this activity shall be jointly organised with the National Academy of Public Administration of Ukraine and its 4 regional branches as a videoconference. It has been scheduled for 25 March and will focus on the public administration reform in line with European standards with a particular emphasis on the issues of professional ethics, conflicts of interest and declarations of assets.
- **A round table on code of ethics of public officials, sectorial codes and conflicts of interest (activities 2.3.5 and 2.3.6).** The participants agreed that this round table will be organised in cooperation with the Main Civil Service Department on 26 March 2009 and will focus in particular on the draft Law on Integrity of Persons Authorised to Perform Functions of the State and Bodies of Local Self-Government.
- Following the workshop organised within UPAC on 19-20 December to discuss the draft Concept Paper on amendments to the domestic legislation in order to enhance transparency of funding of political parties and electoral campaigns, the participants agreed that in addition to the finalisation of the the draft Concept the Agency (Laboratory) of Legislative Initiatives shall carry out a study focusing on the international experience in funding of political parties and electoral campaigns (**Activity 2.4.2**). The study will present the experience of European countries in regulating this issue and provide detailed analysis and summary of all publicly available GRECO reports of the Third evaluation round.

- **Expert opinion and review of coherence of the Draft Concept of Administrative Reform with the European Anti-Corruption Standards (activity 3.1.1).** The content of this activity will be discussed further with Ms Goncharuk, Head of the Department of Administrative Reforms within the Secretariat of the Cabinet of Ministers of Ukraine.
- **Expert study on models of specialised bodies in charge of seizure and confiscation of proceeds from crime (activity 3.1.5).** Following the approval of the Ministry of Justice, the comparative expert report "Assessing the effectiveness of EU Member States' practices in the identification, tracing, freezing and confiscation of criminal assets" commissioned by the European Commission's Directorate-General Justice, Freedom and Security was proposed to be translated into Ukrainian language and disseminated. Moreover, the Ministry of Justice proposed to organise a round table on the possibility to set up such a body in Ukraine. Nevertheless, the official request from the Ministry of Justice has never been received.
- The partner institutions discussed the new format and dates of **training activities** planned under UPAC project:
 - The activity 3.2.1 will remain as planned - a multidisciplinary conference on problems of detection, investigation and prosecution of corruption-related offences - to be organised in cooperation with the National Academy of *Prokuratura*.
 - Two module trainings for judges, prosecutors, police and other law enforcement officers from central and regional levels on detection, investigation and prosecution of corruption-related offences (Activities 3.2.3 and 3.2.6). These activities will be designed by Council of Europe international experts (Basel Institute on Governance) with the assistance of national experts and will be conducted in cooperation with the National Academy of *Prokuratura* and the OECD Project "Strengthening the Capacity to investigate and prosecute Corruption in Ukraine". Following the training activities, the main materials and findings will be summarised for the purpose of the elaboration of a training Manual on Investigation, Prosecution and Mutual Legal Assistance in corruption related offences (Activity 3.2.5).
 - In cooperation with the Ministry of Interior one training for the staff of the Anti-corruption Bureau of the MoI (activity 3.2.4). The training will focus on enhancing Ministry of Interior officials' capacities in detecting and investigating corruption offences as well as on interagency cooperation in this matter. A Manual on methodology of detection of corruption-related offences elaborated by the Ministry of Interior will be reviewed by international experts from the Basel Institute on Governance and published.
- **Technical advice on the introduction and application of case management systems, and in particular of the system for registration of corruption related offences (Activity 3.2.7).** A meeting with the General Prosecutor's Office and the relevant Department of the Ministry of the Interior will be organised in order to further specify the ToRs.
- It has been decided to provide the Parliamentary Committee on Combating Organised Crime and Corruption with **IT equipment** for an administrator (**Activity 3.2.8**).

Following the proposal of the Ministry of Justice, the partner institutions agreed to define the manner in which the following activities should be implemented after the adoption of the anti-corruption package of laws:

- Activity 3.1.6 - Support to the drafting of legislation that derives from anti-corruption package of law,
- Activity 3.1.7 - Expert support/opinion in aligning the draft Law of Ukraine "On State Service" with the anti-corruption package of laws,
- Activity 3.1.8 - Support to publicising the contents of the anti-corruption package of laws.

The next Steering Committee meeting has been scheduled for June 2009.

3.2 Project Activities

The project has implemented the activities pursuant the revised Workplan (Annex II: Revised Workplan of Activities 2008-2009) and Calendar of Activities which have been agreed upon during the Steering Committee meeting of 27 February 2009.

Following the revised Workplan, the activities 1.2.3 (Closing Conference), 1.3.1 (Expert study on compliance of Ukrainian legislation with the UNCAC provisions), 3.1.1 (Expert Opinion and Review of coherence of Draft Concept of Administrative Reform with European anti-corruption standards), 3.1.5 (Expert study on models of specialised bodies in charge of seizure and confiscation of proceeds from crime), 3.2.7 (Terms of reference on case management systems for the Ministry of Interior and Prokuratura) and 3.2.8 (Terms of Reference/Advice on IT equipment for specialised anti-corruption bodies) have been postponed. The extension of the project until December 2009 would allow to implement these activities which are already under preparation.

Moreover, the implementation of the activities 3.1.6 (Support to the drafting of legislation that derives from the anti-corruption law package), 3.1.7 (Expert support/opinion in aligning the draft Law of Ukraine "On State Service" with the anti-corruption package of laws), 3.1.8 (Support to publicising the contents of the anti-corruption package of laws) was postponed until the adoption of the anti-corruption package of laws by the Verkhovna Rada which occurred on 11 June. Therefore, the project would from now on work towards the implementation of these activities in accordance with the priorities expressed by the partner institutions at the 7th Steering Committee planned for June 2009.

During the reporting period a particular emphasis was put on:

- Implementation of GRECO recommendations contained in the Evaluation Report from the 1st and 2nd Evaluation Rounds (adopted in March 2007);
- Assistance in establishing a specialised policy level anti-corruption body in Ukraine (Government Agent for Anti-corruption Policy);
- Assistance in incorporating anti-corruption concerns into the process of public administration reform ("anti-corruption mainstreaming");
- Assistance in strengthening of the preventive capacities against corruption in the public administration, the judiciary, the prosecution and the police;
- Assistance in enhancing the specialisation of law enforcement authorities and the judiciary in detecting, investigating, prosecuting and adjudicating corruption cases;
- Assistance in strengthening of the legislative framework against corruption through expert advice on the anti-corruption package.

As a result, the following activities were carried out during the reporting period.

Activities	Status
Three micro system studies on corruption risks within the Public Administration (in particular, administrative services, control and supervision), Judiciary and the bodies in charge of investigation and prosecution of criminal cases, including analytical reviews and sociological surveys (December 2008-May 2009), Activities 2.1.4-2.2.1-2.3.1-2.3.3	Completed
Expert consultations and comments on the proposals of change to the draft laws of the anti-corruption package before the 2nd reading – Participation in a working meeting of the Committee on Combating Organised Crime and Corruption - Verkhovna Rada (February 2009), Activities 3.1.7-3.1.8	Completed
Steering Committee Meeting (February 2009)	Completed
In-country training activity for police officers and other law enforcement officials from central and regional offices (case studies, pro-active and multidisciplinary approach, participation of relevant bodies, including supreme audit institutions); expert opinion on and publication of the Manual on Detection of corruption-related offences elaborated by the	Completed

Ministry of Interior in Ukraine (March 2009), Activity 3.2.4	
Videoconference to support the reform of public administration (March 2009), Activity 2.1.3	Completed
Round table on the draft legislation on civil service, conflicts of interest and codes of conduct (March 2009), Activities 2.3.5–2.3.6	Completed
Finalisation of the draft Concept Paper on amendments to the domestic legislation in order to enhance transparency of funding of political parties and electoral campaigns (January 2009); elaboration of a study on international experience in funding of political parties and electoral campaigns based on GRECO 3rd Evaluation round reports (Great Britain, Estonia, Iceland, Latvia, Luxembourg, Netherlands, Slovakia, Slovenia, Finland, Poland) (March-May 2009), Activity 2.4.2	Completed
Module training on detection and investigation of corruption offences (April 2009), Activity 3.2.3	Completed
Mission of Drago Kos, President of GRECO, regarding the setting up of a specialised policy level anti-corruption body (April 2009), Activity 3.2.2	Completed
Conference on Identification of corruption risks (April 2009), Activity 1.3.1	Completed
Module training on detection and investigation of corruption offences (May 2009), Activity 3.2.6	Completed
Multidisciplinary Conference "Corruption offences: detection, investigation, prosecution, adjudication" (May 2009), Activity 3.2.1	Completed
Training Manual on Investigation and Prosecution of Corruption related offences (May-November 2009), Activity 3.2.5	Underway
Support of the Parliamentary hearing "Anti-corruption aspects in ensuring transparency in public sector" (June 2009), Activities 3.1.7 – 3.1.8	Completed
Presentation of results, report and methodology of the Micro System Study 1 (June 2009), Activity 2.1.5	Completed

3.3 Activities Implemented during the reporting period

PURPOSE 1:	TO IMPROVE THE STRATEGIC AND INSTITUTIONAL FRAMEWORK AGAINST CORRUPTION IN UKRAINE
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Output 1.3 ***Proposals available to ensure the implementation of Article 6 of the United Nations Convention against Corruption regarding preventive anti-corruption body or bodies***

Activity 1.3.1 Expertise on the "Methodology for expert examination of normative and legal acts and draft normative and legal acts as to corruption" (anti-corruption proofing)

- Round table on Identification of corruption risks (Kyiv, 27 April 2009)

On **27 April 2009**, the UPAC project, the Embassy of France in Ukraine and the Ministry of Justice of Ukraine jointly organised a round table aimed at discussing methodologies to assess corruption risks and prevention plans that could be implemented in Ukraine pursuant to international standards and best practices.

The round table gathered representatives of the Ministry of Justice and Interior, Secretariat of the President of Ukraine and of the Verkhovna Rada as well as representatives of the National Security and Defence Council, Main Civil Service Department, Academy of Judges of Ukraine, State Committee for Financial Monitoring and of international organisations.

The participants had the opportunity to discuss the French experience in this field and in particular the functions of the Main Department of Prevention of Corruption within the Ministry of Justice of France and of the Commission for the financial transparency of political life in France.

Indeed, two French experts presented the mandate of the above mentioned institutions and pointed out the existing difficulties to be avoided in Ukraine. In particular, the Main Department of Prevention of Corruption in charge of centralising information on corruption cases, preparing reports for the relevant authorities and organising trainings faces a lack of initiative and coordination between the different authorities. Moreover, the Commission for the Financial Transparency of the Political Life would need increased investigative powers to be more effective.

Furthermore, the participants compared ways of submission of fiscal declarations in France and in Ukraine.

The event was also an opportunity to identify corruption risks existing within the public administration (administrative services, control and supervision), judiciary and the bodies in charge of investigation and prosecution of corruption offences pursuant to the preliminary findings of the relevant system studies conducted by the Center for Political and Legal Reforms and the Kharkiv Institute of Applied Humanitarian Researches in the framework of UPAC.

PURPOSE 2: TO ENHANCE CAPACITIES FOR THE PREVENTION OF CORRUPTION
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Output 2.1 *Anti-corruption concerns incorporated into the process of public administration reform ("anti-corruption mainstreaming")*

Activity 2.1.3 Videoconference to support the reform of public administration

- Videoconference "Reform of public administration to ensure democratic governance in Ukraine" (Kyiv, Dnipropetrovsk, Odessa, Kharkiv, Lviv, 25 March 2009)

On **25 March**, the UPAC project organised in cooperation with the National Academy of Public Administration of Ukraine and SIGMA program ("Support for Improvement in Governance and Management", Joint Initiative OECD/EU) a videoconference on the public administration reform in Ukraine ("Reform of public administration to ensure democratic governance in Ukraine").

This videoconference was aimed at contributing to the reform of public administration in Ukraine in line with the European standards, relevant GRECO recommendations and international best practices. In this respect, new approaches and drafts laws for the reform of public administration, covering the issues of professional ethics, conflicts of interest and declarations of revenues, assets and expenditure, including a series of controversial issues, were presented and discussed.

This activity had the special feature to be organised as a videoconference which allowed to gather 200 auditors undergoing training in Kyiv and in the 4 regional branches of the Academy of Public Administration in Ukraine (Dnipropetrovsk, Odessa, Kharkiv, Lviv). Council of Europe and SIGMA experts, representatives of central and local public administration (including the Secretariat of the Cabinet of Ministers and of the President of Ukraine, the Ministry of Justice, National Security and Defence Council), international projects, media and the civil society also took part in the debate.

The participants pointed out that the public administration reform is a key to conduct other reforms in Ukraine and called for the adoption of the Concept of Public Administration Reform as well as other crucial laws as the new Law on Civil Service, the Law on Ministries and Other Bodies of the Executive Power and the Code of Administrative Procedures. They underlined the necessity to create a professional, stable, politically neutral public service, to strengthen the level of trust of the society towards it and to overcome the existing hindrances to the reform.

Moreover, the participants adopted detailed recommendations (Annex III: Recommendations adopted at the Videoconference "Reform of public administration to ensure democratic governance in Ukraine", 25 March 2009) which emphasised:

- the necessity to create within the government of Ukraine a separate position responsible for public administration reform;

- the need to rigorously separate the political and administrative functions and positions within the executive power and to establish new forms of providing administrative services;
- that better management and efficiency of public administration can be achieved only through centralised and merit-based recruitment and performance assessment systems, clear ethical standards of conduct for public officials and clear regulations of the issues of conflicts of interest as well as a new effective system of revenues/assets declarations with a separate body responsible for ethics regime and assets declaration.

- Round table to discuss the draft Law on Integrity of Persons Authorised to Perform Functions of the State and Bodies of local Self-Government (Kyiv, 26 March 2009)

On **26 March**, following the failure of the initial draft to pass the first reading at the Verkhovna Rada (Parliament), the UPAC project, the SIGMA program ("Support for Improvement in Governance and Management", Joint Initiative OECD/EU) and the Main Civil Service Department of Ukraine held a round table to discuss the revised draft Law on Integrity of Persons Authorised to Perform Functions of the State and Bodies of Local Self-Government prepared by the Main Civil Service Department.

The event gathered representatives of the Main Civil Service Department, Ministries (Ministry of Justice, Ministry of Finance), National Security and Defence Council, General Prosecutor's Office, Secretariats of the Cabinet of Ministers and of the President, MPs and representatives of the international projects. The participants benefited from presentations by the Council of Europe and SIGMA experts (respectively Mr Jean-Pierre Bueb and Mr Julio Nabais).

The round table provided an opportunity to discuss the main problematic issues regarding the initial draft such as the scope of the persons covered by the draft law, the lack of dissuasive sanctions for non-compliance, the lack of clarity of the mechanism of regulation of conflicts of interest and the provisions of general character. The revised version of the draft law in particular the new chapters dealing with the mechanism of responsibility for non-compliance and the Authorised Body in charge of monitoring the ethics regime was presented and discussed in the light of the international and European standards and best practices.

The participants underlined the need to achieve the consistency of legal regulation by using common definitions in the draft Law on Integrity of Persons Authorised to Perform Functions of the State and Bodies of Local Self-Government, the draft Law on Civil Service and the anti-corruption package of laws and by ensuring the coherence of subjects of regulation referred to in these different draft Laws.

They called for the improvement of the appointment procedure of the head of the Authorised Body in order to ensure his or her independency and considered that the possibility to empower existing bodies to exercise the functions of the Authorised Body has to be analysed. In addition, provisions regulating the outside control by the society have to be introduced.

Finally, the participants underlined that the scope of the persons covered by the law has to be defined narrowly as to exclude the elected officials and judges for which the rules of integrity shall be defined in another laws.

Output 2.1 Anti-corruption concerns incorporated into the process of public administration reform ("anti-corruption mainstreaming")

Activity 2.1.4 *Corruption Risk Assessment and Prevention Plans: System Study No. 1 on Corruption Risks within the Public Administration (in particular the field of administrative services, control and supervision)*

Output 2.2 Risks of corruption reduced in the judiciary

Activity 2.2.1 *Corruption Risk Assessment and Prevention Plans: System Study No. 2 on Corruption Risks within the Judiciary*

Output 2.3 Risks of corruption reduced in the prosecution and police

- Activity 2.3.1 Corruption Risk Assessment and Prevention Plans: System Study No. 3 on Corruption Risks within the bodies in charge of investigation of criminal offences*
- Activity 2.3.3 Corruption Risk Assessment and Prevention Plans: System Study No. 4 on Corruption Risks within the bodies in charge of prosecution of criminal offences*

Since 1st December 2008, three system studies on corruption risks within the public administration, in particular the field of administrative services, control and supervision (System Study 1), the judiciary and the bodies in charge of investigation and prosecution of criminal cases (System Studies 2 and 3) were conducted in the framework of UPAC project.

These studies were carried out by national expert institutions, the Center for Political and Legal Reforms (System Study 1) and the Kharkiv Institute of Applied Humanitarian Researches (System Studies 2 and 3) and aimed at formulating recommendations to support current reforms in Ukraine. The analytical reviews (legislation and practices) conducted by these organisations were supported by sociological surveys carried out by the Democratic Initiatives Foundation (System Study 1) and M.A. Consulting (System studies 2 and 3).

Furthermore, the Basel Institute on Governance (Switzerland) assisted the Ukrainian institutions in conducting these studies through on-site missions and advice.

The second mission of the Basel Institute on Governance took place on 18-19 March 2009, during which the preliminary analytical findings and the preliminary results of the sociological surveys were discussed with the Ukrainian institutions' experts.

Ms Lucy Koechlin, expert of the Basel Institute on Governance, underlined the overall high quality of the preliminary reports which identified the corruption risks. However, the expert recommended that the discrepancies between the findings of the analytical parts and the sociological surveys should be further analysed and based on that that the recommendations should be elaborated.

The UPAC project received the final reports prepared by the Center for Political and Legal Reforms and the Kharkiv Institute of Applied Humanitarian Researches which include an analytical part, the results of the relevant sociological surveys and recommendations. The final results of the sociological surveys have also been sent by the Democratic Initiatives Foundation and M.A. Consulting.

- Activity 2.1.5 Presentation of results, report and methodology of the Micro System Study 1*

- Round table and Press conference to officially present the results and recommendations of the Micro System Study on corruption risks within the public administration, in particular the field of administrative services, control and supervision (Kyiv, 16 June 2009)

The results of the system study on corruption risks in the fields of administrative services, administrative control and supervision were presented during the round table held in the Ministry of Justice on 16 June. The round table was opened by Mr Andriy Bohdan, Deputy Minister of Justice, Mr Ake Peterson, Representative of the Secretary General, Mr Yuri Sukhov, Government Agent for anti-corruption policy and Mr Ihor Koliushko, Chairman of the Board, Centre for Political and Legal Reforms (CPLR). Mr Koliushko presented the general corruption risks concerning the whole public administration system in Ukraine. His presentation was followed by more specific elaboration of corruption risks in the field of administrative services (Mr Viktor Tymoshchuk, CPLR), control and supervision of the public administration (Mr Oleksandr Banchuk, CPLR) and finally by a presentation of results of the sociological survey (Ms Iryna Bekeshkina, Scientific Director, Democratic Initiatives Foundation). Following these presentations an interesting discussion was initiated, and the MPs, the representatives of public institutions, NGOs and media were actively involved in it. Furthermore, when the round table was finished a press conference

at UNIAN Information Agency was held. The press conference attracted a considerable attention of the media and gave place to a wide range of interesting questions and debates. After the presentation of the system study Radio Liberty interviewed UPAC Team Leader on 16 June ("Is there a light at the end of the corruption tunnel?" and Mirror Weekly published a long article on 18 June ("Bribery vulnerable...").

The results of the system studies 2 and 3 will be officially presented during a roundtable and press conference planned on 26 June 2009.

Output 2.3 *Risks of corruption reduced in the prosecution and police*

Activities 2.3.5-2.3.6 Round table on the legislation on civil service and proposed reforms in Ukraine, on the issues of conflicts of interest and codes of conduct

Output 2.4 *Conflicts of interest reduced in the political process*

Activity 2.4.2 Workshop to support disclosure, reporting, monitoring and enforcement of legislation and regulations on financing of political parties and electoral campaigns (follow-up to recommendations from GRECO)

Finalisation of the draft Concept Paper on amendments to the domestic legislation in order to enhance transparency of funding of political parties and electoral campaigns; elaboration of a study on international experience in funding of political parties and electoral campaigns based on GRECO 3rd Evaluation round reports (March-May 2009)

Following the expert workshop organised on 19-20 December 2008, the Agency (Laboratory) of Legislative Initiatives has finalised the draft Concept Paper on amendments to the domestic legislation in order to enhance transparency of funding of political parties and electoral campaigns. The draft Concept contains six main parts: State funding of political parties, regulating funding from private sources of political parties and electoral campaigns, limiting private donations to political parties, including for election campaigns, ensuring transparency in funding of political parties and election campaigns, control on funding of political parties and election campaigns and efficient and adequate sanctions for violations in this field. Each of the parts contains analysis of the Ukrainian legislation and practices in the light of relevant European standards and best practices and proposes a series of recommendations for improvement. As decided at the workshop in December 2008, the Agency (Laboratory) of Legislative Initiatives prepared a comparative study on European experience in funding of political parties and electoral campaigns based on GRECO 3rd Evaluation round reports (Great Britain, Estonia, Iceland, Latvia, Luxembourg, Netherlands, Slovakia, Slovenia, Finland, Poland). This study will be appended to the draft Concept.

PURPOSE 3: TO STRENGTHEN THE ANTI-CORRUPTION LEGAL FRAMEWORK AND EFFECTIVE AND IMPARTIAL ENFORCEMENT OF THE CRIMINAL LEGISLATION ON CORRUPTION

Output 3.1 *Draft Laws available to improve the prevention and control of corruption in accordance with the Criminal and Civil Law Conventions of the Council of Europe (ETS 173/174), the United Nations Convention against corruption and other relevant international legal instruments*

Activities 3.1.7-3.1.8 Expert consultations and comments on the proposals of change to the draft laws of the anticorruption package before the 2nd reading – Participation in a working meeting of the Committee on Combating Organised Crime and Corruption – Verkhovna Rada

- **Participation in a Working meeting of the Committee on Combating Organised Crime and Corruption of the Verkhovna Rada (Kyiv, 17 February 2009)**
-

On **17 February**, the UPAC team leader and Mr Daniel Thelesklaf from the Basel Institute on Governance participated in a working session of the Parliamentary Committee on Combating Organised Crime and Corruption by making presentations and substantially contributing to the discussion which focused on the anti-corruption package of laws.

The meeting was organised to discuss the critics raised by the Main Legal Department of the Verkhovna Rada regarding the anti-corruption package of laws.

Solutions have been found for almost all controversial points criticised earlier, especially during the Hearing of 4 June 2008.

Finally the Main Legal Department and almost all those who intervened supported the draft laws that are part of the package and recommended them for adoption in 2nd reading.

More importantly the awareness of all stakeholders, including MPs, has improved on a number of issues, such as corporate liability and criminalisation of corruption offences according to international standards. In that regard the support was provided by the UPAC project before the 1st and 2nd reading through provision of experts opinions to the draft laws.

- Meetings with representatives of parliamentary factions (Kyiv, 2-3 June 2009) and contribution to the Parliamentary hearing "Anti-corruption aspects in ensuring transparency in public sector" (Kyiv, 3 June 2009)

Mr Drago Kos, President of GRECO, carried out a two-days mission in Ukraine (2-3 June 2009). The mission was aimed at supporting the strengthening of the national anti-corruption legislative framework and policy in line with GRECO recommendations, international and European standards.

In this respect, the President of GRECO met with the Government Agent for Anti-corruption Policy as well as representatives of the Ukrainian parliamentary factions (Bloc Lytvyna, ByuT faction, Our Ukraine – National Self-Defense' faction, Party of Regions' faction, Communist party faction) to discuss the reform of the anti-corruption policy and legislation, in particular the adoption by the Parliament of the anti-corruption package of laws.

Moreover, Mr Drago Kos participated in a meeting of the Inter-institutional working group on combating corruption during which he intervened on the topic "National anti-corruption policy and interagency coordination especially between law enforcement – GRECO recommendations and best practices".

Finally, the President of GRECO took part in the parliamentary hearing organised by the Committee on Combating Organised Crime and Corruption of the Verkhovna Rada and co-sponsored by the UPAC project and the MCC (Millennium Challenge Corporation) Threshold Program in Ukraine. The meeting aimed at informing members of the Parliament about two draft Laws on professional ethics and financial disclosure by public servants registered in the Verkhovna Rada on May 14, as well as on the revised draft Law on Integrity of Persons Authorised to Perform Functions of the State and Bodies of Local Self-Government supported by the Main Civil Service Department of Ukraine.

Mr Kos underlined the high quality of the two draft laws on professional ethics and financial disclosure by public servants and urged the members of the Committee to support and adopt these draft laws which are of key importance in the reform of public administration and reduction of the corruption risks. He reminded the participants that the adoption of such draft Laws would allow Ukraine to implement relevant GRECO Recommendations from the 1st and 2nd Evaluation rounds focusing on the public administration reform and the establishment of clear set of rules governing the administrative process and decision making as well as of new model code of conduct/ethics for public servants.

In the course of his mission in Ukraine, Mr Drago Kos and the UPAC team leader also participated in "Schuster Live" TV show on Ukraina TV channel to inform general public on the state of corruption in Ukraine and discuss anti-corruption measures.

Output 3.2

Judges trained and specialised in adjudication of corruption; law enforcement officials trained in the investigation and prosecution of corruption offences

Activity 3.2.1

Multidisciplinary Conference on issues related to investigation and prosecution of corruption related offences (challenges, national practices and foreign experience, case studies, pro-active and multidisciplinary approach, participation of relevant bodies, including supreme audit institutions)

- Multidisciplinary Conference on "Corruption Offences: Detection, Investigation, Prosecution and Adjudication" (Kyiv, 19-20 May 2009)

On 19-20 May, the UPAC project and the National Academy of *Prokuratura* of Ukraine held a multidisciplinary conference: "Corruption offences: detection, investigation, prosecution and adjudication". The conference aimed at discussing the political, social and legal obstacles to the effective prevention and repression of corruption.

The conference gathered 80 representatives of law enforcement agencies, judges and academic staff, as well as Council of Europe and OECD experts who discussed the issues of specialisation, multidisciplinary approach and interagency cooperation in detecting, investigating, prosecuting and adjudicating corruption crimes. The impact of the criminal justice reform in Ukraine on prosecution of corruption and the introduction of specialised training programmes and methodologies pursuant to international best practices were also debated.

Moreover, the participants discussed the changes to the current legislation that the anti-corruption package of laws will introduce once adopted by the Parliament and in particular the issues of corporate liability and the liability for corruption offences in private sector.

Mr Vandoren (Deputy Prosecutor General, Head of the Coordination Unit for Threat Analysis, Belgium) gave an overview of Belgium anti-corruption system while Mr Antonio Vercher (Chief Public Prosecutor for Environment and Land Planning Crimes, Spain) presented the Spanish experience in investigating corruption cases in the sphere of land planning. Both experts emphasised the importance of specialisation and multidisciplinary approach. Mr Dmytro Tretyakov (lawyer, Registry of the ECHR) presented the European Court of Human Rights case-law regarding the admissibility of evidence gathered through the use of special investigative means in the light of the right to fair trial.

At the end of the conference, the participants (Annex IV: Recommendations adopted at the multidisciplinary conference "Corruption offences: detection, investigation, prosecution and adjudication, 19-20 May 2009) adopted recommendations which:

- Welcomed the appointment of the Government Agent for Anti-corruption Policy and remained hopeful that his work will contribute to the consolidation and raise the effectiveness of the anti-corruption policy and monitoring;
- Considered that it was necessary to accelerate the process of bringing national legislation in line with relevant European and other international standards, in particular, to accelerate the adoption of the anti-corruption package of laws;
- Stressed the importance of reforming the criminal justice in accordance with the Concept of Criminal Justice Reform in Ukraine, in particular, the importance of the adoption of the Code of Criminal proceedings and the Law "On Prokuratura" taking into account the conclusions of the Venice Commission;
- Supported the need for specialisation in combating corruption;
- Emphasised the need to establish a legislative framework and financial support for the system of protection of witnesses and justice collaborators in order to improve methods of detection and investigation of corruption offences;
- Highlighted the need to address the issues of the use of special investigative means in the light of the European Convention on Human Rights, in particular, the right to fair trial and the right to respect for private life;
- Supported the setting-up of the registry of confiscated proceeds from crime;

- Considered as necessary to introduce a special training on detection and investigation of corruption offences as well as to ensure the appropriate training of judges dealing with "corruption cases";
- Stressed the importance of building international cooperation in combating corruption, exchange experiences and best practices between countries;
- Underlined the necessity to strengthen the civil society's anti-corruption monitoring

Activity 3.2.2 Expert Review and Recommendations on the effectiveness of bodies responsible for the pre-trial investigation and prosecution of corruption offences (follow-up to recommendations from GRECO, special emphasis on specialisation and from the Multidisciplinary Conference Conclusions)

- Meetings between Mr Drago Kos, President of GRECO, the President of Ukraine and the Prime Minister of Ukraine (Kyiv, 24 April 2009)

On 24 April Mr Drago Kos, President of GRECO, met the President, Prime Minister and the Minister of Justice of Ukraine to discuss the mandate of the Government Agent for Anti-corruption policy, the anti-corruption package of (draft) laws and implementation of GRECO recommendations. At the same day, during its extraordinary session, the Cabinet of Ministers adopted regulations on the Government Agent for Anti-corruption policy and appointed Mr Yuri Sukhov in the position of the Government Agent. Moreover, the Prime Minister said she would address to the Speaker of the Verkhovna Rada the need for having the anti-corruption package of laws again on the agenda.

Subsequently, the laws were passed in the Verhovna Rada on 11 June 2009.

Activity 3.2.3 Module training on detection, investigation and prosecution of corruption offences

Activity 3.2.6 Module training on detection, investigation and prosecution of corruption offences

- Module training on detection, investigation and prosecution of corruption offences (Kyiv, 22-23 April 2009 and 13-14 May 2009)

During the reporting period, the UPAC project implemented a series of training activities aimed at enhancing the level of specialisation of law enforcement authorities in investigating and prosecuting corruption offences pursuant to the 6th Recommendation of the GRECO Evaluation Report from 1st and 2nd Evaluation Rounds (adopted in March 2007).

In this perspective, the UPAC project organised in cooperation with the National Academy of *Prokuratura* of Ukraine and the OECD Project "Strengthening the capacity to investigate and prosecute corruption in Ukraine" two sessions of a module training on Detection, Investigation and Prosecution of corruption on 22-23 April and 13-14 May 2009.

The training simulated the investigation of a corruption case with a special emphasis on circumstantial evidence and mutual legal assistance mechanisms. It aimed at improving the capacities of district-level prosecutors-investigators in investigating corruption offences and at strengthening the quality of advanced training in this field.

The methods and techniques of detection of corruption offences identified by various international standards were analysed. In particular, the Basel Institute on Governance experts (Ms Yara Esquivel Soto, Mr Tom Lasich and Ms Kristel Poh) explained the critical need for identifying and understanding the elements of the crime and presented in details the money laundering processes, schemes and concepts as well as official and non-official types of Mutual Legal Assistance necessary to follow the foreign leads in the context of corruption investigations.

The training also represented a practical exercise regarding the use of existing instruments on mutual legal assistance and informal methods to follow the foreign leads. Mr Kovalenko, Head of extraditions Department of the National Prosecutor's Office, presented in detail the

procedure of requesting the international legal assistance and collaboration with law-enforcement authorities of other countries.

The sessions gave an opportunity to study innovative ways on how to organise and analyse large volumes of financial data gathered during complex investigations in order to prove illegal income.

The module training developed within UPAC and the OECD project represents an important and useful tool for the National Academy of *Prokuratura* of Ukraine. It may also be used by other professors and trainers who deliver academic education and in-service training for investigators and prosecutors. Thus, this module training was also presented during the conference "Corruption offences: Detection, Investigation, Prosecution and Adjudication" organised by the UPAC project on 19-20 May.

Furthermore, the module training will serve as a basis to develop a Training Manual on Investigation and Prosecution of Corruption Crimes (activity 3.2.5) and in cooperation with the OECD project. The terms of reference for the preparation of the Manual have been jointly defined by the two projects. It is foreseen that the Manual will consist of three main parts focusing on the international standards and Ukrainian system of investigation and prosecution of corruption; the methods for investigation and prosecution of corruption (based on case-study) and training methodology (guidelines for delivering the training course).

Activity 3.2.4 In-country training activity for police officers and other law enforcement officials from central and regional offices (case studies, pro-active and multidisciplinary approach, participation of relevant bodies, including supreme audit institutions)
Expert opinion on and publication of the Manual on Detection corruption-related offences elaborated by the Ministry of Interior of Ukraine

- Training Seminar on Detection and Investigation of corruption offences (Kyiv, 20 March 2009) and expert review of the Training Manual on Detection of corruption-related offences elaborated by the Ministry of Interior of Ukraine

The GRECO Evaluation Report from 1st and 2nd Evaluation Rounds (adopted in March 2007) emphasised the need to enhance the specialisation of law enforcement bodies in detecting all forms of corruption as well as to strengthen the interagency coordination between them in order to increase the effectiveness of detection and investigation of corruption offences (4th and 6th Recommendations).

In this respect, the training seminar jointly organised by UPAC and the Ministry of Interior was aimed at improving the functional capacities of the Ministry of Interior specialised units against corruption in detecting and investigating corruption offences (central and regional offices). Furthermore, an opportunity was given to discuss cooperation and coordination among the authorities involved in the fight against corruption. Several case studies have also been presented.

The training seminar gathered around 80 police officers from both Kyiv and the regions as well as four Council of Europe experts, representatives of central and regional offices of the Anticorruption Bureau (Main Department on Combating Organised Crime, Ministry of Interior), the State Committee for Financial Monitoring and the General Prosecutor's Office of Ukraine and international projects.

In this perspective, CoE experts focused on the specialisation of law enforcement authorities, the use of special investigative techniques, financial investigation and protection of witnesses and victims. Moreover, national experts and representatives of institutions shared good practices and opinions on the needed improvement of the legal framework. The participants discussed the distinction between criminal and administrative liabilities for corruption offences, the definition of criteria to assess the investigation effectiveness, the liability of "agent provocateur", the use of statement of undercover agents and the protection of witnesses.

Finally, a training Manual on Detection and Prevention of corruption offences elaborated by the Ministry of Interior has been published and disseminated to the participants of the seminar with the financial support of the UPAC project. However, the Manual have been reviewed by the Council of Europe experts and most of their comments shall be included in the Manual's updated version foreseen to be finalised once the anti-corruption package of laws is adopted.

4 Other meetings and missions

During the reporting period, a number of meetings with representatives of the partner institutions have been held. The UPAC team leader met in particular:

1. Mr A. Bohdan, Deputy Minister of Justice and Mr R. Riaboshapka, Project Coordinator from the Ministry of Justice;
2. Mr I. Kalietnik, Head of Committee on Combating Organized Crime and Corruption of the Verkhovna Rada and several heads of subcommittees – Mr O. Riabeka, Mr M. Dzhyha, as well as members of the Secretariat of the Committee;
3. Mr Volodymyr Tkach and Mr Andriy Vyshnevsky, Deputy Heads of the Main Civil Service Department.
4. Team of Mr Sukhov, Government Agent for Anti-corruption policy

UPAC team met experts of the Basel Institute on Governance in the framework of their mission to prepare trainings on money-laundering and mutual legal assistance within MOLII-UA and participated with the experts in meetings with representatives of relevant state institutions (General Prosecutor's Office, Ministry of Justice..). The participation of the Basel Institute on Governance in the UPAC training activities has been discussed during this mission (21/01/2009).

UPAC Team Leader participated in several meetings of the Interagency Working Group in particular at the meeting chaired by the Prosecutor General and held at the General Prokuratura where The report on the implementation of the working plan 2008 was presented and discussed (27/01/2009).

The UPAC team took part in the USAID Rule of Law project conference on "Partnering to improve court performance: how citizen satisfaction surveys can promote public trust" – this activity aimed at presenting the methodology and main results of surveys on 'Citizen Trust and Confidence in Courts (Citizen Report Cards)' conducted under the Rule of Law project. The participants discussed how the results of the surveys could impact the enhancement of the court transparency and citizen satisfaction (10/02/2009).

The UPAC team participated in a roundtable organised by the Component Three of the Millennium Challenge Corporation on inspectors general in the US. The activities of Inspectors Generals in the Department of Interior and the Pharmaceutical sector in the USA and their possible application in Ukraine were discussed (10-11/02/2009).

The UPAC team attended the advisory committee of the ACTION Project (the Project on Promoting Active Citizen Engagement (ACTION) in Combating Corruption in Ukraine). The Project's Director Mr Juhani Grossman presented the progress made since the last meeting and elaborated in details the results of the last survey on the state of corruption in the sphere of access to higher education. He also presented the work and achievements of 7 coalitions of NGOs working within the Project such as "Curbing corruption during the university admission progress" or "Public anti-corruption advocacy network" (17/02/2009). The UPAC team attended also the presentation of the results of the third National Survey on the State of Corruption in Ukraine conducted by ACTION project (15/06/2009).

The UPAC team attended the lecture given by Mr David Lewis, US Resident in Ukraine to students at the National Prosecution Academy of Ukraine. Mr Lewis focused on the role of prosecutors, the use of special investigation techniques and of collaborators of justice (24/02/2009).

The UPAC team had a meeting with the representative of the Office of Democracy and Governance of USAID during which the team leader Mr Chlapak presented the achievement in the implementation of the activity related to the financing of political parties and electoral campaigns (02/03/2009).

UPAC Team Leader met Mr Hoyrup and Mr Ladiesse, EU Resident Twinning Advisers working on harmonisation with EU standards in the fields of transportation and civil aviation. The issue of corruption in this spheres was discussed (05/03/09).

The UPAC team attended a conference on the judicial reform in Ukraine, organised by the newspaper « Yurydychna praktyka » in cooperation with the Ministry of Justice of Ukraine (13/03/2009).

Saferworld, independent international non-governmental organisation has prepared a case study «Public security needs and perceptions in Ukraine», which focused on two EU-funded projects in Ukraine, including UPAC (and also EUBAM - European Union Border Assistance Mission to Moldova and Ukraine). The Saferworld report praised UPAC Team for focusing as much as possible on involvement of private sector and civil society. The UPAC team participated in a conference organised by Saferworld in Odessa to present the report. (31/03/2009).

The UPAC team continued to maintain regular contacts with other international anticorruption projects and donors, in particular with representatives of EC Delegation, ABA/ROLI, MCC, USAID, OECD, US DoJ resident experts, the embassies of France and US.

The UPAC team attended the different monthly Rule of Law Implementers meetings organised by the USAID Rule of Law project in Ukraine in order to coordinate efforts related to the reform of the judiciary.

The team also participated in the meetings of the Anti-corruption Co-ordination Initiative led by ABA/ROLI on 18 February, 31 March, 28 April, 28 May and 17 June 2009. During these meetings, Mr Yuriy Pylypiuk (Acting Head of the Directorate on Combating Corruption and Organised Crime of the State Security Service of Ukraine), Mrs. Oleksandra Kuzhel (Head of the State Committee of Ukraine for Regulatory Policy and Entrepreneurship) shared their views on the national anticorruption efforts. The meetings also aimed at presenting the achievement of the Millennium Challenge Corporation Threshold Country Program to Reduce Corruption in 2008 and the priorities for 2009 as well as the NATO Initiative "Building Integrity and Reducing Corruption Risks in Defence Sector". Moreover, during the meeting on 28 May, the UPAC team leader presented the preliminary results of the first system study on corruption risks within the public administration, in particular the fields of administrative service, control and supervision carried out by the Center for Political and Legal Reforms (analytical part) and the Democratic Initiatives Foundation (survey). The UPAC team leader also presented the Compliance report on Ukraine following the Joint First and Second Evaluation Rounds adopted by GRECO in May 2009 (17/06/2009)

During the reporting period, the UPAC team closely collaborated with NGOs, in particular with the Center for Political and Legal Reforms, the Democratic Initiatives Foundation, the Kharkiv Institute of Applied Humanitarian Research and M.A. Consulting and the Agency (Laboratory) of Legislative Initiatives.

UPAC continued to raise the visibility of the project through its updated website and the launching of the Ukrainian version of the UPAC webpage (www.coe.int/upac).

Moreover, the project continued to publish regular articles in the EC Delegation Newsletter in Ukraine and to send weekly «flash notes» to the European Commission in Brussels to give information on ongoing activities.

The UPAC team has also expanded the coverage of its activities and achievements by local media through press conferences, interviews with local media and participation in a political TV show ("Schuster Live" on the channel "Ukraina").

6 Strategic Overview, Achievements and Conclusions

During the reporting period, the activities were implemented in accordance with what the project Workplan foresees. The continued support to anti-corruption reforms in line with European standards and GRECO recommendations has not only been provided at the technical level, but a tangible impact on reform of legislative and institutional framework has also been made.

Two major achievements to which UPAC considerably contributed throughout the whole project, include the setting up of a national policy level anticorruption body – Government Agent for Anticorruption policy (comment: *Gov. Agent was established on 24 April*) and adoption of the anticorruption package of laws¹ on 11 June by Verkhovna Rada of Ukraine. These two major achievements contributed to implementation of several GRECO recommendations and incorporation of European and international anticorruption standards into domestic legislation (formally the draft laws still have to be signed by the President and if done so will enter into force as from 1 January 2009). The Council of Europe has continuously supported the Parliament in preparation of the laws and largely contributed to their compliance with the relevant international instruments and standards. In particular, the project provided a series of detailed expert opinions on each of three draft laws in 2006 and 2008. The last opinion prepared by Mr Drago Kos, Chairman of the Council of Europe Group of States Against Corruption (GRECO), highly praised the package of laws. Furthermore, within the framework of the UPAC project a strong political support for adoption of these laws has been provided. Namely, prior to the approval of the laws by Verkhovna Rada/Parliament, Mr Kos has visited Ukraine and held meetings with the Ukrainian President, Prime Minister and Minister of Justice. During these meetings Mr Kos emphasized the importance of adoption of these laws.

Moreover the project has made an important contribution to the public administration reform (through the system studies, support of relevant legislative initiatives and raising awareness among professionals and general population) and criminal justice reform (through the relevant system studies). The project continued to strengthen capacities aimed at enhancing transparency in funding of political parties and electoral campaigns (through the finalisation of the relevant draft concept) thus contributing to prepare Ukraine to the 3rd Round of GRECO Evaluation. The project has implemented all training activities planned (except the manual which is under preparation) thus strengthening the capacities of the law enforcement and judicial authorities to fight against corruption. The project innovated in the type of activities as for the first time a videoconference was organised allowing to reach more than 200 participants throughout the country.

Finally many project activities received a considerable media coverage. The interest of media increased substantially through the reporting period. Drago Kos, Chairman of GRECO was interviewed by Dzerkalo Tyzhnia (Mirror weekly) and participated in a press conference on 3 June. UPAC Team Leader participated together with Mr Drago Kos, President of GRECO in a popular TV Shuster Live show, and also gave a numerous interviews in particular to Radio Liberty, Radio Era FM, Korrespondent newspaper. Moreover several UPAC activities inspired popular newspapers to write articles concerning the latest anti-corruption efforts (ex. Dzerkalo Tyzhnia – Mirror weekly) concerning the latest anti-corruption reforms. Furthermore, the project is about to open a webpage in Ukrainian to widely disseminate the materials of the project.

The next Steering Committee meeting will provide an opportunity to:

- Find out if it still necessary to conduct an expert study on compliance of Ukrainian legislation with the UNCAC provisions (Activity 1.3.1.) following the adoption of the anticorruption package of laws.
- Confirm the need for expert opinions on the draft concept of administrative reform (activity 3.1.1).

¹ Anti-corruption package": Law on the Principles of Prevention and Counteraction of Corruption ; Law on the Responsibility of Legal Persons for Corruption Offences and Law on Amending Certain Legal Acts Regarding Responsibility for Corruption Offences

- Confirm the necessity for translation of the expert study on EU member States' national systems of seizure and confiscation of proceeds from crime (activity 3.1.5). The comparative expert report "Assessing the effectiveness of EU Member States' practices in the identification, tracing, freezing and confiscation of criminal assets" (in English) commissioned by the European Commission's Directorate-General Justice, Freedom and Security is quite a long document and the project would like to clear if it is necessary to translate the whole document or just parts of it.
- Clear up if something has to be done under Activity 3.2.7. The MoI has indicated that it did not require any expert advice or TORs but just equipment for a unified database of persons convicted for corruption offences.

The purchase of IT equipment for an administrator of the Parliamentary Committee on Combating Organised Crime and Corruption is under way (Activity 3.2.8). Three Following the adoption of the anticorruption package of laws the project can support aligning the draft law on Civil Service with the revised national anticorruption standards (as foreseen by the workplan). It will also be important to agree how the project will support raising awareness on the newly adopted anticorruption package and if additional activities can be implemented.

7 ANNEXES

Annex I: List of Participants–UPAC Steering Committee meeting (27 February 2009)

Ukraine

Name	Institution/Function	Contact phone and e-mail
Ministry of Justice		
Ruslan Riaboshapka	Head of the Department for Judicial Legislation, Law Enforcement and Anti-corruption Policy	tel.: (+380 44) 271-1569 fax: (+380 44) 271-1695 e-mail: riaboshapka@minjust.gov.ua
Council of National Security and Defence		
Oksana Markieieva	Head of the Anti-corruption Department	tel.: (+380 44) 255-0537 fax: (+380 44) 255-0636 e-mail: mod@rainbow.gov.ua
Oleksiy Synitsyn	Head of the Anti-corruption Coordination Division	tel./fax: (+380 44) 255-0856 e-mail: say@rainbow.gov.ua
Secretariat of the Verhovna Rada		
Serhiy Sylkin	Senior Consultant, Committee on Combating Organized Crime and Corruption	tel.: (+380 44) 255-3496 e-mail: sylkin@rada.gov.ua
Ministry of Interior		
Lubov Butenko	Deputy Head of the Anti-corruption Office (Department), Main Department on Combating Organized Crime and Corruption	tel.: (+380 44) 461-1899 tel./fax: (+380 44) 461-1872 e-mail: but@guboz.gov.ua
Office of the Prosecutor General		
Stanislav Turovskiy	Deputy Head of Department	tel.: (+380 44) 200-7520, 200-7609, 280-8161
Presidential Secretariat		
Valeriy Putiato	Head of the Anti-corruption Policy Division, the Main Service on the Law Enforcement	tel.: (+380 44) 255-7287 fax: (+380 44) 255-6479 mob.: (+38 067) 342-9111 e-mail: valerii_putiato@stpu.gov.ua
Cabinet of Ministers Secretariat		
Andriy Petrusenko	Senior Specialist	tel./fax: (+380 44) 226-2904
Main Department of Civil Service		
Yuriy Yurchenko	Head, Monitoring and Inspection Department	tel.: (+380 44) 278-2205 fax: (+380 44) 279-0529
Academy of Judges		
Tetyana Pustovoitova	Head, International Department	tel./fax: (+380 44) 230-9775 e-mail: pustovoitova@aj.court.ua
High Council of Justice		
Grygoriy Zayets	Deputy Head of Secretariat, Head of Department of Assignment and Dismissal of Judges	tel.: (+380 44) 235-0012
Accounting Chamber of Commerce		
Serhiy Sorochnyskyi	Senior Specialist of the Anti-corruption Sector	tel.: (+380 44) 206-0760 mob.: (+38 067) 501-7635

Council of Europe/Delegation of EC/Donors

Lado Lalicic	Council of Europe, Directorate General of Human Rights and Legal Affairs/Head of Economic Crime Division	tel.: + 33 (0)3 88 41 29 76 fax: + 33 (0) 390 21 56 50
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		e-mail: Lado.LALICIC@coe.int
Roman Chlapak	UPAC Project/Team Leader	tel./fax: (+380 44) 234-6140, 234-6210 e-mail: Roman.CHLAPAK@coe.int
Vlasta Sposobna	UPAC Project/Project Assistant	tel./fax: (+380 44) 234-6140, 234-6210 e-mail: Vlasta.SPOSOBNA@coe.int
Valeria Reva	UPAC Project/Legal Assistant	tel./fax: (+380 44) 234-6140, 234-6210 e-mail: Valeria.REVA@coe.int
Kateryna Gayevska	UPAC Project/Legal Assistant	tel./fax: (+380 44) 234-6140, 234-6210 e-mail: Kateryna.GAYEVSKA@coe.int
Lucile Sengler	UPAC Project	tel./fax: (+380 44) 234-6140, 234-6210 e-mail: Lucile.SENGLER@coe.int
Andriy Spivak	EC Delegation to Ukraine/JSF Project Manager	tel.: (+380 44) 390-8010, 253-3020 fax: (+380 44) 253-4547 e-mail: andrei.spivak@ec.europa.eu

Annex II: Revised Workplan of Activities 2008 - 2009

Council of Europe
Conseil de l'Europe



European Union
Union européenne

Support to Good Governance: Project against Corruption in Ukraine (UPAC)

Updated Workplan of Activities

Implementation status and changes as agreed at the 6th Steering Committee meeting on 27 February 2009

Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
Purpose (1): To improve the strategic and institutional framework against corruption in Ukraine						
<u>Objectives supported through activities under Purpose 1:</u> <ul style="list-style-type: none"> • Anti-corruption strategy and Action Plan; • Effective and efficient coordination and monitoring mechanisms of Anti-corruption Strategy and Action Plan. <u>Sources of verification of objectives reached:</u> <ul style="list-style-type: none"> • GRECO reports, communications and web-sites of the government and administration of Ukraine; media coverage of strategy and action plan etc. <u>Assumptions/risks:</u> <ul style="list-style-type: none"> • Commitment of the Ukrainian authorities to counter corruption in coordinated and coherent manner. <u>Counterpart/beneficiary institutions:</u> <ul style="list-style-type: none"> • Ministry of Justice, Cabinet of Ministers, Presidential secretariat, Ministry of Interior, National Defence Council, State Prosecutor's Office, State Audit Office. 						
Output (1.1): Anti-corruption strategy and action plan available						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
October 2006 – March 2007 Expert opinion provided in	Activity 1.1.1	Support to the drafting and elaboration of the Anti-corruption Action Plan in accordance with NACS, involving all relevant stake holders (national and local government) and including public	Workshop/Consultative meeting reports, recommendations, and final outcomes from the drafting process of Action Plan; Action Plan document and content including any potential	Delays and controversies on asserting or merging Concept 2006 into a NACS version; Clarity of assignation of tasks and responsibilities	Presidential Secretariat; Ministry of Justice; Cabinet of Ministers;	3-4 Experts; Desk Review/Field Work (3-4 days each); Delivery of Training, Technical Papers and

June 2007		consultations (civil society and business community representatives).	evaluation/assessment carried out prior to its finalisation; Participatory data of all relevant institutions and key stake holders; Systematic and verifiable outreach efforts to the public and between institutions; Projects reports; Other reporting and communications of relevant Ukrainian institutions; GRECO Evaluation Report[s] and recommendations and GRECO compliance reports	in relation with implementing, operationalising and monitoring NACS. Lack of the institutional capacities and absorption of relevant tasks and responsibilities in line with the endorsed NACS. Political will and continuous institutional support in launching, implementing and monitoring the NACS. NACS not met with broad based public support; Institutional commitment throughout the drafting process, and recognition of assigned lead authority in coordinating the action plan drafting process; Clear time-line for the process to be finalised	All institutions as assigned by the president's decree.	guidelines 4-6 working Sessions or Round Table Discussion (RTD); Public Participation
Round table held on 16 October 2008	Activity 1.1.2	Round table "Effectiveness of the National anti-corruption policy, role of the civil society and private sector"/ <i>Assessment/Review and Recommendations on the effectiveness of the National Anti-corruption Strategy, its Action Plan and other policy related reforms in</i>	Reports available; Recommendations and Observation as issued.	Assessment unable to draw clear conclusions and recommendations due to the limited time and experience to produce results as per required reforms and measures against corruption	Designated institution in charge to monitor implementation of the Anti-corruption Strategy and Action Plan;	2 Experts; 1 Local Expert; Desk review and field work; TP; RT discussion to present findings to counterpart institution

		<i>Ukraine</i>				
October 2006 – January 2007 Survey methodology and questionnaire finalised in February 2007	Activity 1.1.3	1st National (and regional) Public Baseline Survey: - Perception, experience, and attitude on corruption and service delivery in the system of justice (police, prosecution, notary service, enforcement of civil and criminal judgements); and - Perception, experience, and attitude on corruption and service delivery in the public administration and the political system (including elected officials and officials of local and regional authorities)	1st Survey Report (in both languages); Other international community reports; All forms of media reporting; GRECO evaluation report[s]; Government response and acknowledgment of findings (reports, interviews, press releases); Specific measures designed in response to system identification tools; Reports on implementation of the Anti-corruption Action Plan	Quality and Professionalism of Survey Providers (Contractor); Time line; Survey findings are not received adequately and therefore are not incorporated into policy making; Restriction of distribution and publication of Survey findings by beneficiary; A survey on corruption in the Judiciary has been carried out in spring 2006, albeit with a different methodology	All relevant institutions which will be determined by Survey Providers and Service Provider ToR.	Independent institution as an outside contractor (Survey Provider)
Output (1.2): Effective monitoring, coordination and management of anti-corruption measures ensured						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
January 2008 - September 2008 Round Table held on 22 April 2008	Activity 1.2.1	Workshop on models, types and tools used of and by different anti-corruption bodies/structures in view of a feasibility of such structures in Ukraine; their role and their establishment of a structure/body to: Monitor; Manage; and Coordinate The implementation of the National Anti-corruption Strategy and its Action Plan	Monitoring reports; reports assessing the efficiency of the NACS and AP	Sufficient resources (human and financial) made available to establish efficient and effective monitoring and coordination mechanism	Central Department of Civil Service and Ministry of Justice as co-implementer	1 CoE Experts; 1 Local Expert.

May 2008 Study visit held on 26-30 May 2008	Activity 1.2.2	System comparing process – Study visit and Three Workshops on existing practices and lessons learned from other European AC mechanisms for the Working Group (3 merged in one trip: Croatia, Slovenia, France)	Study visit reports; evaluation/feedback of Study visits by participants.	Genuine readiness and capacity to share lessons learned and best practices and to incorporate them into day-to-day operations	Central Department of Civil Service And Working Group	CoE Kiev Project Team Experts from counterpart (receiving) institutions (in-kind contribution)
May 2009	Activity 1.2.3	Closing conference: Support to national anti-corruption conference to review the implementation of anti-corruption measures in Ukraine	Final report of project activities against purposes, stipulating achievements	Project has managed to carry out activities for all purposes foreseen	All SG/stakeholder institutions reached by the project	6 experts (international and national) having been involved in key project activities
Output (1.3): Proposals available to ensure the implementation of Article 6 of the United Nations Convention against Corruption (UNCAC) regarding preventive anti-corruption body or bodies						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
May 2008 1st Activity Seminar held on 15/01/2008 March-April 2009	Activity 1.3.1	1 Seminar on implementation of UN Treaty Law focussed on issues related to UNCAC applicability in Ukraine and its domestic legislation. One Seminar designed for Codification Department of MOJ; expert study on compliance with UNCAC (<i>initially proposed as one seminar designed for all main key players and specifically on Article 6 of UNCAC</i>)	Proposals reflected in legislative changes.	Continued commitment of Ukrainian authorities to the implementation of the UNCAC	Codification Department of the MoJ; SG members/stakeholders of the projects	1 Seminar 1Expert study (1 international) 2 local experts Desk review In-country visits Follow-up recommendations

Purpose (2): To enhance capacities for the prevention of corruption						
<u>Objectives supported through activities under Purpose 2:</u> <ul style="list-style-type: none"> Documents related to the public administration reform amended in the light of anti-corruption standards and best practices; Guidelines for risks analysis, prevention of corruption and elaboration / implementation of codes of conduct in the judiciary, public administration (in particular in the Ministry of Interior, Prosecution and local and regional authorities available; Recommendations and draft laws aimed at reducing conflicts of interests in the political process available. 						
<u>Sources of verification of objectives reached:</u> <ul style="list-style-type: none"> Activity reports; Web-site and documents of the Central Department of Civil Service, High Council of Justice, Ministry of Justice, CEC, Prosecution, Ministry of Interior, National associations / Congress of local and regional authorities of Ukraine, GRECO, Congress of local and regional authorities (CoE), media 						
<u>Assumptions/risks:</u> <ul style="list-style-type: none"> Cooperation of relevant stakeholders 						
Output (2.1): Anti-corruption concerns incorporated into the process of public administration reform ("anti-corruption mainstreaming")						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
February 2007 Expert opinion provided in August 2007	Activity 2.1.1	Promotion and introduction of the Draft Law on the Ethics Behaviour for Public Officials in order to facilitate the adoption of the new law	Number of participants in the promotion and introduction event	Delays on finalising the parliamentary sessions and reading of the draft law	Members of Parliament Public Administration	1 expert
Round table	Activity	Round table " Legislation on civil		Delays in adopting the	Main Civil	1 international expert

held on 5 December 2008	2.1.2	service and conflicts of interest" <i>RTD to Follow up on implementation issues with regard to the draft Code of Ethics on behaviour of the Public Officials</i>		new law by parliament	Service Department. Round table organised in cooperation with SIGMA (joint OECD/EU initiative "Support for Improvement in Governance and Management")	
Training Videoconference planned for 25 March 2009	Activity 2.1.3	Videoconference to support the reform of public administration <i>Training of public administration members on issues related to legislation on civil service in the light of international standards and best practices (i.e., OECD, WB)</i>	GRECO and other international reports acknowledging progress on this issue. Stakeholder/beneficiary feedback	Need for this type of training (need not covered by other donors/organizations)	National Academy of Public Administration and its regional institutes (Dnipropetrovsk, Odessa, Kharkiv, Lviv) Cabinet of Ministers Main Civil Service Department	Videoconference
1 December 2008-15 April 2009 Survey: Feb/March	Activity 2.1.4	Corruption Risk Assessment and Prevention Plans: System Study No. 1 on Corruption Risks within the Public Administration (in particular, the field of administrative Services, control and supervision	Various reports (international/local) Media reports Sociological survey	Need and readiness of relevant stakeholder institutions to participate in survey Relevance and adequacy	The study is conducted by the Centre of Political and Legal Reforms	1 international (incl. in-country visit(s)) 7 local experts Scoping study

2009		(Development of methodology; System Study Analysis; Identification of risk area and their causes; and Developing prevention proposals and plans.)		of methodology developed	The survey is conducted by the Democratic Initiatives Fund	
April-May 2009	Activity 2.1.5	Presentation of results, report and methodology of the System Study No. 1 <i>Provision and training of standard guidelines and methodologies in carrying out periodical corruption risk assessments based on the System Study No. 1 provision of methodology on the implementation of prevention plans</i>	Various reports (including GRECO reports). Reports used as starting point for initiation of policy changes	Need for corruption risk assessments and its periodic repetition understood by stakeholders	Centre of Political and Legal Reforms	RTD Local experts
Expert opinion provided in November 2008	Activity 2.1.6	Expert Opinions on the Draft Law on Civil Service (draft of the Main Department for civil service)	Expert Opinion	Draft law delayed	Mains Civil Service Department	1 International expert
Output (2.2): Risks of corruption reduced in the judiciary						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
1 December 2008-15 April 2009 Survey: Feb/March 2009	Activity 2.2.1	Corruption Risk Assessment and Prevention Plans on Judiciary: (System Study No. 2) (Development of methodology; System Study Analysis; Identification of risk area and their causes; and Developing prevention proposals and	Various reports (national/inter-national), including GRECO Media reports Sociological survey on corruption risks within the	Cooperation of Ukrainian judicial authorities in particular of the High Council of Justice. Cooperation of the Ministry of Justice	The study is conducted by the Institute of Applied Humanitarian Research (Kharkiv)	1 international expert (including in-country visit) 5 local experts Scoping study

		plans.)	judiciary and the bodies in charge of investigation and prosecution of criminal offences		The survey is conducted by MA.Consulting	
April-May 2009	Activity 2.2.2	Presentation of results, report and methodology of the System Study No. 2 <i>Provision and training of standard guidelines and methodologies in carrying out periodical corruption risk assessments based on the System Study No. 2 provision of methodology on the implementation of prevention plans</i>	Various reports (including GRECO reports). Reports used as starting point for initiation of policy changes	Need for corruption risk assessments and its periodic repetition understood by stakeholders	Institute of Applied Humanitarian Research (Kharkiv)	RTD National experts who participated in 2.1.1
Output (2.3): Risks of corruption reduced in the prosecution and police						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
1 December 2008-15 April 2009 Survey: Feb/March 2009	Activity 2.3.1	Corruption Risk Assessment and Prevention Plans: System Study No. 3 on Corruption Risks within the bodies in charge of investigation of criminal offences (<i>initially proposed as a system study within System of Ministry of Interior</i>) (Development of methodology; System Study Analysis; Identification of risk area and their causes; and Developing prevention proposals and plans.) The corruption risks within the bodies	Various reports (national/international), including GRECO Media reports Sociological survey on corruption risks within the judiciary and the bodies in charge of investigation and prosecution of criminal offences	Commitment of Mol and relevant departments to participate in survey	The study is conducted by the Institute of Applied Humanitarian Research (Kharkiv) The survey is conducted by MA.Consulting	1 international expert (including in-country-visit) 2 local experts Scoping study Presentation of findings to stakeholders

		in charge of investigation and prosecution of criminal offences are analysed in one single study (two separate studies initially planned)				
April-May 2009	Activity 2.3.2	<p>Presentation of results, report and methodology of the System Study No. 3</p> <p><i>Provision and training of standard guidelines and methodologies in carrying out periodical corruption risk assessments based on the System Study No. 3 provision of methodology on the implementation of prevention plans</i></p>	<p>Various reports (including GRECO reports).</p> <p>Reports used as sources for initiation of policy changes</p>	Need for corruption risk assessments and its periodic repetition understood by stakeholders	Institute of Applied Humanitarian Research (Kharkiv)	RTD National experts who participated in 2.3.1
<p>1 December-15 April 2009</p> <p>Survey: Feb/March 2009</p>	<p>Activity 2.3.3 in coop with</p> <p>Activity 2.3.1</p>	<p>Corruption Risk Assessment and Prevention Plans in): System Study No. 4 on Corruption Risks within the bodies in charge of prosecution of criminal offences (<i>initially proposed as a system study within the System of Prosecutorial Services</i>) (Development of methodology; System Study Analysis; Identification of risk area and their causes; and Developing prevention proposals and plans.)</p> <p>The corruption risks within the bodies in charge of investigation and prosecution of criminal offences are analysed in one single study (two separate studies initially planned)</p>	<p>Various reports (national/international), including GRECO</p> <p>Media reports</p> <p>Sociological survey on corruption risks within the judiciary and the bodies in charge of investigation and prosecution of criminal offences</p>	Commitment of prosecution and relevant departments to participate in survey	The study is conducted by the Institute of Applied Humanitarian Research (Kharkiv)	<p>1 international expert (including in-country visit)</p> <p>2 local experts</p> <p>Scoping study</p>
April-May 2009	Activity	Presentation of results, report and	Various reports (including	Need for corruption risk	Institute of	Experts who

	2.3.4	methodology of the System Study No. 4 <i>Provision and training of standard guidelines and methodologies in carrying out periodical corruption risk assessments based on the System Study No. 4 provision of methodology on the implementation of prevention plans</i>	GRECO reports). Reports used as sources for initiation of policy changes	assessments and its periodic repetition understood by stakeholders	Applied Humanitarian Research (Kharkiv) The survey is conducted by MA.Consulting	participated in 2.3.2
Round table to be held on 26 March 2009	Activity 2.3.5	Round table on the civil service reforms in Ukraine, conflicts of interest and codes of conduct <i>Workshop and expert advice for the elaboration, introduction and implementation of codes of conduct in the Prosecution system</i> To be implemented together with activity 2.3.6	Reports and public communications on Codes of Conducts in the prosecution system	Issue not yet covered by other TA programmes; Prosecution committed to introducing Codes of Conduct; Commitment translates into the allocation of human and financial resources to make system efficient and effective	Main Civil Service Department	1 – 2 Experts (national and international) TP (TBC)
Round table to be held on 26 March 2009	Activity 2.3.6	Round table on the legislation on civil service and proposed reforms in Ukraine; on the issues of conflicts of interest and codes of conduct <i>Workshops and expert advice for (the elaboration) and implementation of codes conduct and disciplinary and redress/appeal procedures in the Ministry of Interior bodies</i> To be implemented together with activity 2.3.5	Reports and public communications on Codes of Conducts	Issue not yet covered by other TA programmes; Prosecution committed to introducing Codes of Conduct; Commitment translates into the allocation of human and financial resources to make system efficient and effective	Main Civil Service Department	2-3 experts (national and international) TP (TBC)

				Ministry of Interior is ready to implement such measures		
Output (2.4): Conflicts of interest reduced in the political process						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
January/ February 2008 Held on 29 January 2008	Activity 2.4.1	RTD on European standards of legislation, regulations and practices on financing of political parties and electoral campaigns in the light of European standards and good practices: Council of Europe guidelines "Financing political parties and election campaigns", (GRECO documents) related to immunities, lobbying and corruption of members of national assemblies. (identification of issues of concern as per subject)	Relevant reports, including GRECO reports Public debate on identified issues	Continued commitment of Ukrainian authorities to tackle issues	MoJ Central Election Commission Parliament	1 international expert 2 national experts Desk review and TP paper Workshop
June – September 2008 RT held on 1-2 July 2008 Concept	Activity 2.4.2	<u>Workshop to support disclosure, reporting, monitoring and enforcement of legislation and regulations on financing of political parties and electoral campaigns (follow-up to recommendations from GRECO)</u> Elaboration of a Concept Paper and	Relevant reports, including GRECO reports Public debate on identified issues	Continued commitment of Ukrainian authorities to tackle issues	Central Election Commission MoJ Parliament Concept Paper	2 international experts 2 national experts Desk review and TP paper Workshop

<p>Paper elaborated in January 2009</p> <p>Expert Workshop held on 19-20 December 2008</p> <p>March-April 2009</p>		<p>organisation of an expert workshop aimed at formulating amendments to legislation to enhance transparency of the system of funding of political parties and election campaigns</p> <p>Elaboration of a study on international experience in funding of political parties and electoral campaigns based on GRECO 3rd Evaluation round reports (Great Britain, Estonia, Iceland, Latvia, Luxembourg, Netherlands, Slovakia, Slovenia, Finland, Poland)</p>			<p>and Expert Workshop: elaborated/organised by the Agency for Legislative Initiatives</p> <p>Proposed to be elaborated by the Agency for Legislative Initiatives</p>	
<p>June - September 2008</p> <p>RT held on 1-2 July 2008</p>	Activity 2.4.3	<p>Analysis of tools to minimise the vulnerability of the legislative process to corruption including regulation of <u>lobbying</u> (analysis of national practices, case studies from Europe and USA, elaboration of proposals). <i>To be implemented in connection to activities 2.4.2, 2.4.5</i></p>	<p>Relevant international reports (including GRECO)</p> <p>Issues at stake discussed through public hearings, in parliament and in the media</p>	<p>Continued commitment of Ukrainian authorities to advance issues</p> <p>UPEPLAC project findings/recommendations to be incorporated and considered</p>	Ministry of Justice	<p>2 international experts</p> <p>2 national experts</p> <p>Desk review and TP paper Workshop</p>
<p>June - September 2008</p> <p>RT held on</p>	Activity 2.4.4	<p>Workshop to support the implementation of obligations of elected office holders to <u>declare assets and conflict of interests</u> as well as other measures to reduce, and control conflict of interests in general.</p>	<p>Relevant national and international reports (including GRECO).</p>	<p>Continued commitment of Ukrainian authorities and relevant stakeholders to advance issues</p>	<p>Tax administration</p> <p>MOJ (TBC)</p>	<p>2 international experts</p> <p>2 national experts</p> <p>Desk review and TP</p>

1-2 July 2008		<i>The issue of declaration of assets of elected representatives to be covered in connection to activities 2.1.2, 2.1.3, 2.1.6 related to civil service</i>				paper Workshop
June – September 2008 RT held on 1-2 July 2008	Activity 2.4.5	Workshop and follow-up on GRECO recommendations with regard to <u>immunities and privileges of parliamentarians and judges</u> and other categories. <i>To be implemented in connection to activities 2.4.2, 2.4.3</i>	International reports, incl. GRECO. Media reports Public discussions	Continued commitment of Ukrainian authorities to tackle issues at stake. (TBC)	MoJ; Parliament; Supreme Court High Judicial Council of Judges	2 international experts 2 national experts Desk review and TP paper Workshop (TBC)
Output (2.5): Capacities enhanced at the level of local and regional authorities for the prevention of corruption and strengthening of integrity						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
November 2007 Completed March 2007	Activity 2.5.1	Support the drafting of a short and structured National Handbook on ethics in local government, based the European Public Ethics Handbook, and translation of other relevant documents into Ukrainian	Draft National Handbook	Identification of a competent local expert Help from national and local stakeholders in identifying and accessing sources of information		1 local expert 1 international expert
December 2007 Completed in March 2007	Activity 2.5.2	Raise interest among local government stakeholders and create a Steering Group for supporting public ethics in local government	Letters of interest in taking part in the Steering Group Other forms of interest expressed in relation to the benchmarking programme Clear commitment expressed by at least 5 municipalities in implementing the full programme	Identification of a committed local partner Interest from local stakeholders 5 municipalities are committed to the programme		1 local expert
February 2007	Activity 2.5.3	Organise the first meeting of the Steering Group to revise the National	Documents of the Steering Group meeting	Identification of a committed local partner		1 local expert 1 international expert

Completed in May 2007		Handbook and to revise and adopt the National Score Card for the benchmarking exercise	Meeting report Revised National Handbook National Score Card	Interest from local stakeholders 5 municipalities are committed to the programme		1 workshop
March – April 2007 Completed in May 2007	Activity 2.5.4	Organise the first round of self-assessments and preparation of the National Benchmark on public ethics at local level	Self-assessment forms National Benchmark (composed of the National Score Card plus average scores)	Identification of a committed local partner Interest from local stakeholders 5 municipalities are committed to the programme		1 local expert
May – June 2007 Completed in August and September 2007.	Activity 2.5.5	Selection and training to the use of the peer review and benchmarking process for 15 peer reviewers (5 local elected representatives, 5 senior local public servants and 5 specialists in public administration)	Training report Training evaluation forms filled in by the trainees at the end of the training session	Identification of a local partner Identification of a competent local expert Identification of 15 qualified volunteers for the role of peers		1 Training workshop 1 local expert 1 international expert
February 2008 Completed in December 2007	Activity 2.5.6	Organise peer reviews in the 5 pilot municipalities to evaluate their experience in view of its improvement and, if appropriate, dissemination and replication throughout Ukraine. Each peer review should lead to the preparation of reports including Recommendations for the improvement of the situation in the municipality under review	5 reviews reports 5 review Recommendations Reports on Dissemination	Identification of a local partner Commitment of peer reviewers 5 municipalities are committed to the programme		1 local expert 5 review visits of 4 days for peer review teams of 4 persons each
December 2007 – February 2008	Activity 2.5.7	Support the preparation and implementation of Corruption Prevention Plans in the 5 pilot municipalities (risk analyses and	5 Corruption Prevention Plans	Identification of a local partner 5 municipalities are committed to the		1 local expert

Completed in January 2008		benchmarking, review status of local officials, review effectiveness of internal and external monitoring and control mechanisms, implementation of codes of conduct)		programme		
March - April 2008 Completed in January 2008	Activity 2.5.8	Revise the National Handbook on public ethics in the light of the results of the Benchmarking exercise (Score Card, Benchmark, peer review recommendations and Corruption Prevention Plans) and, if appropriate, prepare a draft National Strategy to improve public ethics at local level	Revised National Handbook Possibly, the National Strategy	Identification of a local partner Identification of a competent local expert		1 local expert 1 international expert
June 2008 Completed in January 2008	Activity 2.5.9	Organise the Second Steering Group meeting to adopt the revised National Handbook (and, if appropriate, the National Strategy) and to assess the implementation of the programme	Meeting report Meeting documents Handbook on Public Ethics at local level	Identification of a local partner		1 international expert 1 local expert 1 workshop
April 2008 Completed in May 2008	Activity 2.5.10	Publish the revised National Handbook. Subject to agreement by participating municipalities, review Recommendations and Corruption Prevention Plans could be appended to the Handbook	Publication "Handbook on Public Ethics at local level" Distribution list Reactions from addressees and the media	Identification of a local partner		
Output (2.6): Public participation in the anti-corruption effort promoted						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
October 2006 Completed in January 2007	Activity 2.6.1	Develop the terms of reference for a grant programme open to NGOs and other civil society organisations aimed at promoting public involvement in the	Call for submission of proposals from NGOs	N.A.	Council of Europe Kyiv Project Team	Team Leader in conjunction with EC consultants.

		anti-corruption effort				
Purpose (3): To strengthen the anti-corruption legal framework and effective and impartial enforcement of the criminal legislation on corruption						
<p><u>Summary of objectives supported under Purpose 3:</u></p> <ul style="list-style-type: none"> Relevant draft amendments in line with international anti-corruption standards and technical reports on specialisation, training, and multidisciplinary approach of law enforcement and judicial authorities in the fight against corruption elaborated <p><u>Sources of verification of objectives reached:</u></p> <ul style="list-style-type: none"> Activity reports, GRECO reports, draft amendments, technical reports, partner institutions documentation <p><u>Assumptions/risks:</u></p> <ul style="list-style-type: none"> Commitment and co-operation of relevant partner institutions 						
Output (3.1): Draft laws available to improve the prevention and control of corruption in accordance with the Criminal and Civil Law Conventions of the Council of Europe (ETS 173/174), the United Nations Convention against corruption and other relevant international legal instruments						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
March – April 2009	Activity 3.1.1	Expert Opinion and Review of coherence of Draft Concept of Administrative Reform with European anti-corruption standards.	<p>Projects reports;</p> <p>Other reporting and communications of relevant Ukrainian institutions;</p> <p>Relevant institutions' web-sites disseminating information and providing feed back;</p> <p>Media coverage;</p> <p>GRECO Evaluation Report[s]</p>	<p>Draft Concept available for review by responsible institutions;</p> <p>Political will to undertake necessary reforms, and review the on-going legislative process in line with the European standards;</p> <p>Consistency of coordination and</p>	<p>Main Civil Service Department of the of Ukraine;</p> <p>MOJ;</p> <p>National Commission for the Strengthening of Democracy and Rule of Law;</p>	<p>Experts Desk review;</p> <p>1 Fact finding mission;</p> <p>Delivery of Technical Paper (Expertise Opinion);</p> <p>Round Table Discussion (RTD);</p> <p>Follow up.</p>

			and recommendations and GRECO compliance reports	<p>cooperation among all relevant institutions and key players during the entire process;</p> <p>Clear transparent process and a thorough stake holder consultation mechanism;</p> <p>Available resources provided and committed by the relevant beneficiary and coordinating bodies/institutions.</p>	<p>Secretariat of the President of Ukraine;</p> <p>Council of National Security and Defence;</p> <p>School of Public Administration;</p>	
<p>January 2007</p> <p>Expert opinion provided in May 2007.</p>	Activity 3.1.2	Expert Opinion and Review of the Draft Concept of the Reform of Criminal Justice and Law Enforcement Agencies in line with European anti-corruption standards.	<p>Projects reports;</p> <p>Other reporting and communications of relevant Ukrainian institutions;</p> <p>Relevant institutional web-sites disseminating information and providing feed back;</p> <p>Media coverage;</p> <p>GRECO Evaluation Report[s] and recommendations and GRECO compliance reports</p>	<p>Draft Concept available for review by responsible institutions;</p> <p>Political will to undertake necessary reforms, and review the on-going legislative process in line with the European standards;</p> <p>Consistency of Coordination and Cooperation among all relevant institutions and the key players during the entire process;</p>	<p>Ministry of Justice;</p> <p>National Commission for the strengthening of democracy and the rule of law;</p> <p>Secretariat of the President of Ukraine;</p> <p>Council of National Security and Defence.</p>	<p>2 Experts;</p> <p>Desk Review;</p> <p>1 Fact finding Mission;</p> <p>Technical Paper (Expertise Opinion);</p> <p>Round Table Discussion (RTD);</p> <p>Follow up.</p>

				<p>Clear transparent process, including thorough stake holder consultation mechanism;</p> <p>Available resources provided and committed by the relevant beneficiary and coordinating bodies/institutions.</p>		
<p>October 2006</p> <p>Expert opinion provided in October 2006</p>	<p>Activity 3. 1.3</p>	<p>Expert Opinion and Review on the coherence of:</p> <ul style="list-style-type: none"> - Draft Law on the Judiciary; and - Draft Law on the Status of judges, <p>with European anti-corruption standards.</p>	<p>Projects reports;</p> <p>Other reporting and communications of relevant Ukrainian institutions;</p> <p>Relevant institutions' web-sites disseminating information and providing feed back;</p> <p>Media coverage;</p> <p>GRECO Evaluation Report[s] and recommendations and GRECO compliance reports</p>	<p>Draft Concept available for review by responsible institutions;</p> <p>Political will to undertake necessary reforms, and review the on-going legislative process in line with the European standards;</p> <p>Consistency of coordination and cooperation among all relevant institutions and key players during the</p>	<p>Ministry of Justice</p> <p>National Commission for Strengthening Democracy and the Rule of Law</p> <p>Supreme Court</p> <p>Council of Judges</p> <p>Secretariat of the President of</p>	<p>2 Experts</p> <p>Desk review</p> <p>1 Fact-finding mission</p> <p>Technical Paper (Expertise Opinion)</p> <p>Round Table Discussion (RTD)</p> <p>Follow up.</p>

				<p>entire process;</p> <p>Clear transparent process, including a thorough stake holder consultation mechanism;</p> <p>Available resources provided and committed by the relevant beneficiary and coordinating bodies/institutions;</p> <p>In addition a financial feasibility concept has been provided and agreed/committed by government</p>	<p>Ukraine</p> <p>Association of Judges of Ukraine</p>	
<p>June 2007</p> <p>14 December 2007</p>	Activity 3.1.4	<p>Support the implementation of GRECO recommendations on compliance with relevant international anti-corruption legal instruments.</p> <p>(Activities need to be defined upon issuance of GRECO report)</p>	<p>Database of legal acts of Ukraine</p> <p>GRECO compliance reports</p> <p>Other relevant monitoring reports (OECD)</p>	Continuous commitment of Ukrainian authorities to adhering to international legal standards.	MoJ	<p>Council of Europe local project team</p> <p>Relevant international and national experts</p>
<p>July 2008</p> <p>19 September 2008</p>	Activity 3.1.5	<p>Expert opinion on the Draft Amendments on the Confiscation of Crime Proceeds provisions;</p> <p>RTD on the Expert opinion with regard to the draft amendments and the impact in the legal system as well as their implementation in practice</p>	<p>Expert Opinion</p> <p>Evaluation reports from monitoring mechanisms</p> <p>Activity reporting</p>	Draft Amendments are available and presented in time to parliament	MOJ	<p>1 Council of Europe Expert</p> <p>Council of Europe local project team</p>

EC Study on EU Members practices in the identification, training, freezing and confiscation of criminal assets forwarded to the Ministry of Justice in January 2009 (to be specified)		Expert study on models of specialised bodies in charge of confiscation and seizure of proceeds from crime				
December 2006 – August 2007 Expert opinions provided in December 2006 and January 2007 March - April 2009	Activity 3.1.6	Support to the drafting of legislation that results from anti-corruption law package, submitted by the President of Ukraine to the Parliament. Follow-up will be defined further after review. (Note: the provisions on the liability of legal persons is included in this package) Support in elaboration of a Concept Paper on institutional anti-corruption system and of a draft law on law enforcement anti-corruption body	Database of Legal Acts Criminal Code Code of Administrative Offences	Continuous commitment of Ukrainian authorities to align Ukrainian legal framework with international standards; Sufficient resources (human and financial) made available	MoJ	6 TP's 2-6 experts
April - May	Activities-	Expert consultations and comments	Database of Legal Acts	Continuous commitment	Anti-corruption	2 experts

2008 Hearing held on 4 June 2008	3.1.7-3.1.8	on the proposals of change to the draft laws and opinions before the 2nd reading Participation in the hearings in the Committee against organised crime and corruption of the Verkhovna Rada on the topic "Anti-corruption policy and practice: problems of legislative framework"	Criminal Code Code of Administrative Offences	of Ukrainian authorities to align Ukrainian legal framework with international standards; Sufficient resources (human and financial) made available	Commission at the Parliament	Expert opinions
March - April 2009 <i>This activity can be conducted only once the Anti-corruption package is adopted</i>	Activity 3.1.7	Expert support/opinion in aligning the draft Law of Ukraine "On Public Service" (new version) with the anti-corruption law package, submitted by the President of Ukraine to the Parliament	GRECO compliance reports Other relevant monitoring reports (OECD)	Continuous commitment of Ukrainian authorities and parliament to align Ukrainian legal framework with international standards	MoJ	2 experts to carry the review
March - April 2009	Activity 3.1.8	Support to publicising the contents of the anti-corruption law package, submitted by the President of Ukraine to the Parliament	Database of Legal Acts	Broad-based commitment to fighting corruption, including through relevant legislation.	MoJ, Parliament	Workshop; Local and international experts.
Output (3.2): Judges trained and specialised in adjudication of corruption; law enforcement officials trained in the investigation and prosecution of corruption offences						
Timing	Level/ Activity	Description	Sources of verification	Assumptions /Risks	Responsible Institutions	Possible Input Required
May (Week of 18th May – to be confirmed) 2009	Activity 3.2.1	Multidisciplinary Conference on issues related to investigation and prosecution of corruption related offences (challenges, national practices and foreign experience, case	Various reports (including GRECO)	Issue not yet covered by other donors	Academy of Procuratura	TP

		studies, pro-active and multidisciplinary approach, participation of relevant bodies, including supreme audit institutions)				
Recapitulative tables following the study visit disseminated in December 2008 Possible mission of Mr Drago Kos on the issue of the Government Agent on anti-corruption policy (to be confirmed)	Activity 3.2.2	Debriefing on models of anti-corruption bodies following the study visit Expert Review and Recommendations on the effectiveness of bodies responsible for the pre-trial investigation and prosecution of corruption offences (follow-up to recommendations from GRECO, special emphasis on specialisation and from the Multidisciplinary Conference Conclusions)	GRECO reports	Reform of system of prosecution is underway/finished in conjunction with international legal standards	Bodies responsible for pre-trial investigation and prosecution	2 experts (international and national) Recapitulative tables on Anticorruption bodies in France, Slovenia and Croatia RTD (to be confirmed)
Training to be held on 14-15 April 2009 (back to back with Activity 3.2.4)	Activity 3.2.3	Module training on detection, investigation and prosecution of corruption offence <i>In-country training activity for prosecutors and investigators from central and regional offices (case studies, pro-active and multidisciplinary approach, participation of relevant bodies, including supreme audit institutions)</i>	Reports, including GRECO Training Package	Reform of system of prosecution is underway/finished in conjunction with international legal standards	Academy of <i>Prokuratura</i> In cooperation with OECD Project "Strengthening the capacity to investigate and prosecute corruption in	1 Training Activity Proposed to be prepared and conducted by international experts from the Basel Institute on Governance (under the responsibility of UPAC) with the

					Ukraine"	support of national experts (under the responsibility of OECD as well as the communication between national and international experts).
Training to be held on 20 March 2009	Activity 3.2.4	In-country training activity for police officers and other law enforcement officials from central and regional offices (case studies, pro-active and multidisciplinary approach, participation of relevant bodies, including supreme audit institutions Expert opinion on and publication of the Manual on Detection and Prevention of corruption-related offences elaborated by the Ministry of Interior in Ukraine	Reports, including GRECO Training Package	Reform of system of prosecution is underway/finished in conjunction with international legal standards	Mol	1 Training activity 4 international experts National experts Training Manual
May 2009	Activity 3.2.5	Upon adoption of relevant legislation: Provide training tools through a Manual of Training on Investigation and Prosecution of Corruption related offences. <i>(Note: The materials used during the module trainings will serve as basis for the manual)</i> <i>To be implemented in connection with activities 3.2.3 and 3.2.6)</i>	Training Manual	Reform of system of prosecution is underway/finished in conjunction with international legal standards Legal acts have adopted	Mol, Prosecution In cooperation with OECD Project "Strengthening the capacity to investigate and prosecute corruption in Ukraine"	2 international experts 2 national experts TP
Training to be	Activity	Module training on detection,	GRECO reports	Reform of system of	Academy of	Proposed to be

held on 13-14 May 2009	3.2.6	investigation and prosecution of corruption offence <i>Joint multidisciplinary training for judges, prosecutors, police and other law enforcement officers from central and regional levels on pro-active and multidisciplinary approach, specialised officers on finance and economics, inter-agency and international cooperation during criminal proceedings on corruption related offences.</i>	Training Package	prosecution is underway/finished in conjunction with international legal standards	<i>Prokuratura</i> In cooperation with OECD Project “Strengthening the capacity to investigate and prosecute corruption in Ukraine”	prepared and conducted by international experts from the Basel Institute on Governance (under the responsibility of UPAC) with the support of national experts (under the responsibility of OECD as well as the communication between national and international experts).
March-April 2009	Activity 3.2.7	Provide Technical Advice (ToRs) on the introduction and application of case management systems for the Ministry of Interior and Prosecution services, in particular of a unique system for registration of corruption and economic crime related offences	Technical Paper (ToRs)	Need not yet covered by other donors	Mol, Prosecution Basel Institute on Governance	2 International experts (including in-country visits) 2 Local experts Scoping Study ToRs
March-April 2009	Activity 3.2.8	ToRs/advice on IT equipment for specialized anti-corruption body/IT equipment (to be specified if needed) Providing IT equipment for the post of administrator created to support the website of the Committee on fighting organised crime and corruption of the Verkhovna Rada	To be specified	To be specified	To be specified	To be specified

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Annex III: Recommendations adopted at the Videoconference "Reform of public administration to ensure democratic governance in Ukraine" (25 March 2009)

The videoconference which took place in the National Academy of Public Administration, Office of the President of Ukraine, with the involvement of its regional institutes, representatives of national central and local authorities, as well as of the civil society, was an opportunity to discuss public administration reform in Ukraine in the light of European standards. New approaches and new drafts of laws in the field of public administration reform, covering in particular the issues of professional ethics, conflicts of interest and assets declaration have been presented and discussed during the event.

The participants of the videoconference emphasised on the necessity of creation of a professional, stable, politically neutral public service and on strengthening of the level of public trust. The participants also pointed out the obstacles in the implementation of public administration reform in Ukraine, such as, in particular, lack of political will, lack of the relevant conceptual and legal framework, as well as lack of awareness among the politicians and population regarding the need of this reform.

Council of Europe and SIGMA experts emphasised that Ukraine has to choose its own way for carrying out an effective public administration reform. The participants underlined that the reform process is a complicated and a lengthy one and noted the necessity to adopt an action plan which would define the priorities and the order of implementation of reform measures. All the political forces must have a consolidated position towards the main principles concerning the implementation of reform of public administration, as without this reform it is impossible to carry out efficiently other reforms, in particular economic and social reforms, as well as to implement political programmes.

In order to carry out the public administration reform in Ukraine it is crucial to adopt the Concept of public administration reform, and other key laws, such as the new Law on civil service, the Law on ministries and other bodies of the executive power, the Code of Administrative procedures, as well as the legislation required to reform the local self-government.

The participants pointed out to the necessity of:

- creation within the government of Ukraine of a separate position responsible for public administration reform;
- rigorous separation of political and administrative functions and positions within the executive power;
- establishment of new forms of providing administrative services by means of creation of "one stop shops", "centers of municipal services", "united permits centers", etc.;
- improving the system of recruitment to public service (by means of introduction of a centralised system of recruitment, establishment of clear criteria, transparency of adoption of decisions and appeal procedures);
- establishment of ethical standards of conduct for public officials, clear regulation of the issue of conflicts of interest (procedures, competent ethics regime body, dissuasive sanctions), establishment of restrictions for "revolving doors" of public servants;
- introduction of a new effective system of revenues/assets declarations (to define a separate body responsible for ethics regime and assets declaration, to establish the obligation to declare the assets, effectively used, as well as expenditures of public officials and his/her family members and a system of external control of this process);
- constant improvement of professional skills of public servants, raising their motivation by means of promotion and rational system of bonuses.

Annex IV: Recommendations adopted at the multidisciplinary conference "Corruption offences: detection, investigation, prosecution and adjudication (19-20 May 2009)

Aware of the danger of corruption for consolidation, development and security of the democratic society and the link of corruption with organised crime, money laundering and terrorism;

Aware of the need for raising public trust in the public institutions and for improving State's anti-corruption capacities

Aware of the need for incorporation of international anticorruption standards

The participants of the conference:

- ✓ Welcome the appointment of the Government agent for anti-corruption police and remain hopeful that his work will contribute to the consolidation and raising the effectiveness of the anti-corruption policy and monitoring, through the global national strategy and action plan; underline that the priority should be on prevention of corruption in particular through the support of Public Administration Reform, Judicial Reform and reform of local self-government, adequate legal regulation of conflicts of interest, establishment of an effective system for assets declarations of public officials, improvement of access to information, raising transparency in funding of political parties and election campaigns;
- ✓ Consider that it was necessary to accelerate the process of bringing the domestic legislation in line with relevant European and other international standards, in particular, to accelerate the adoption of anti-corruption package of laws;
- ✓ Stress the importance of promoting the reform of criminal justice in accordance with the Concept of Criminal Justice Reform in Ukraine, in particular, the importance of the adoption of the Code of Criminal procedure and the Law "On Prokuratura" taking into account the conclusions of the Venice Commission;
- ✓ Having in mind the complexity and constant changing of corruption's features, support the need for specialization in combating corruption, in particular in land planning and environment, the need of multidisciplinary approach and ensuring a high level of professional training;
- ✓ Emphasise the need to improve legislative framework and financial support for the system of protection of witnesses and justice collaborators in order to improve methods of detection and investigation of corruption offences;
- ✓ Highlight the need to address the issues of the use of special investigative means in the light of the European Convention on Human Rights, in particular, the right to fair trial and the right to respect for private life;
- ✓ Underline the need for setting-up of an effective system and competent body for confiscation of proceeds from crime;
- ✓ Consider as necessary to introduce special trainings on detection and investigation of corruption offences as well as to ensure the appropriate training of judges dealing with "corruption cases";
- ✓ Stress the importance of building international cooperation in combating corruption, exchange of experience and good practices internationally;
- ✓ Underline the necessity to strengthen the civil society's anti-corruption monitoring, in particular through civic anti-corruption proofing of laws and draft laws.