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CONFERENCE ON “Assessing the Implementation and Effectiveness of Systems for Disclosing Interests and Assets by Public Officials”

Hosted by the Civil Service Bureau of Georgia and co-organised by the Anti-Corruption Network of OECD, UNDP, the Regional Hub of Civil Service in Astana and Regional Anti-Corruption Initiative (RAI)

Tbilisi
6-7 June 2017

**Concept and
programme**

CONTEXT

Over the past several decades, interests and asset disclosures by public officials (IADPOs) have been widely acclaimed as **essential ingredients** of comprehensive national anti-corruption strategies and key mediums of instilling public sector integrity. IADPOs have been embedded in laws in numerous countries around the globe with a view to bolstering citizens' trust in government, enhancing transparency in public administration and holding public officials accountable for corruption offences.

Although international standards on the exact parameters of IADPOs do not exist, certain **pre-requisites** have permeated international legal instruments, both "hard" or "soft" law, as well as policy documents, notably the UN Convention against Corruption,¹ the OECD Guidelines for Managing Conflict of Interest in the Public Service, the G20 High-Level Principles on Asset Disclosure by Public Officials and the APEC Principles for Financial/Asset Disclosure by Public Officials.²

The design and management of IADPOs vary substantially. Where they have been established, such systems pursue the **objective**: 1) to ensure that public sector decisions are not compromised by conflicts of interest and that such actual or potential conflicts are prevented, identified, managed, or properly sanctioned; or 2) to monitor wealth variations of public officials and to facilitate the detection, investigation and prosecution of illicit enrichment or taking other remedial action against public officials concerned; or 3) both of the aforementioned goals.

In 2009, OECD and UNDP, jointly with OSCE, organised a conference on "Asset Declarations for Public Officials as a Tool against Corruption" in Belgrade, Serbia. This event led to the release in 2011 of a study produced by the OECD Anti-Corruption Network (ACN) on "**Asset Declarations for Public Officials. A Tool to Prevent Corruption**" mostly grounded in the empirical data collected prior to 2009. The study provided a thorough review of asset disclosures in Eastern Europe and Central Asia as well as in certain OECD member States. It focused on issues such as the purposes of income and asset declarations, legal basis and institutional arrangements, subjects of disclosure, scope and content of declarations, etc. Since then, most of the ACN countries have advanced considerably in the implementation of their IADPOs and accumulated further valuable experience and expertise in this domain. Therefore, the time is ripe to ascertain, in a systematic way, the true **functionality** of IADPOs

¹ The Convention contains three provisions addressing private interest disclosures: Articles 8, paragraph 5; Article 9, Paragraph 1(e), Article 52, paragraph 5

² APEC (Asia-Pacific Economic Cooperation) Principles for Financial /Asset Disclosure by Public Officials: Fundamentals for an Effective Tool to Prevent, Detect, and Prosecute Conflicts of Interest, Illicit Enrichment, and Other Forms of Corruption. The APEC Conduct Principles for Public Officials are also relevant.

and their actual **role and place** in a holistic national anti-corruption strategy and in the promotion of public sector integrity.

Evidence available to OECD/ACN suggests that countries in the ACN region and other parts of the globe have developed new approaches to IADPOs, especially regarding electronic declarations, their publication and verification. At the same time, recent experience indicates that implementing and enforcing IADPOs is a process that might be fraught with difficulty. There is a growing demand for analytical assistance and guidance on **how to enhance the rigorousness of IADPOs** so that they cease to be a burdensome bureaucratic formality with questionable outcomes. Similarly, a demand has been increasing for cross border co-operation, causing even more burdensome processes and hurdles. So far, no mechanism exists for integrity bodies to exchange data internationally for the purpose of conducting administrative checks.

OBJECTIVES

The conference will pursue the following objectives:

- to provide a **forum** for key stakeholders responsible for the design, management, implementation, enforcement and on-going evaluation and improvement of IADPOs;
- to highlight existing experiences in the **implementation and enforcement** of IADPOs *in practice*, depending on the specific goal(s) pursued by these systems (see above) and to distil any prevailing trends;
- to capture new tendencies in terms of on-going **evaluation and impact assessment** by countries concerned of the effectiveness of IADPOs in their own right and by placing them in the broader frame of national anti-corruption initiatives;
- to ascertain **what has worked best and why**. Where IADPOs have proven less effective, the participants will seek to establish the reasons for this and examine what is already being done or what could be done to reinvigorate IADPOs, with due regard for national circumstances;
- to exchange information on the existing **research** and to promote **national, regional and international data collection**, in order to better identify and evaluate potential obstacles to more effective implementation and enforcement;

- to inform the **preparation of the OECD/ACN study** on this topic and to allow for the identification of good practices that can be applied by governments and international organisations to further reform IADPOs on a country level;
- to share **innovative ideas, concepts and solutions** in regards to overcoming various obstacles to effective implementation and enforcement of IADPOs, with a special focus on **cross-border co-operation**

WORKING METHODS

The conference will take the form of a plenary discussion lasting **two days**. The goal of Session I will be to explain the objectives and methodology of the future OECD/ACN study as well as the process pursuant to which it is being carried out. Sessions II-IV will each review the deliverables of IADPOs as compared to initial objectives of those systems, notably: 1) prevention and sanctioning of conflicts of interest; 2) monitoring wealth variations of public officials and detection, investigation and prosecution or other remedial action against illicit enrichment; and 3) combination of the above two. Perceptible approaches and trends will be identified and highlighted. At the end, the conclusions of the conference will be presented by the OECD/ACN Secretariat.

The working languages of the conference will be **English and Russian**.

PARTICIPANTS

The conference will bring together around **100 participants** from OECD/ACN countries, OECD member and non-member States and specifically:

- policy makers and practitioners responsible for the design, management, implementation, enforcement and on-going evaluation and improvement of IADPOs;
- members of parliament;
- public officials of various ranks;
- civil society, academics and media representatives; and
- international organisations

EXPECTED RESULTS

The conference is expected to:

- ▶ give fresh momentum to the international dialogue on IADPOs by bringing into the spotlight the **implementation and enforcement aspects**, which have not yet been thoroughly studied;
- ▶ help identify good practices in **periodic evaluation** of effectiveness and **impact assessment** of IADPOs;
- ▶ shed light on the effectiveness of IADPOs as applied to **high-risk sectors** or categories of public officials, such as procurement agents, tax and customs officers, and financial authorities;
- ▶ analyse the **role and function** of IADPOs in the broader context of national anti-corruption strategies so as to gauge whether they have an impact on or are at present generating potential for more forceful prevention and detection of corruption and public perception thereof.

VENUE

[Holiday Inn Tbilisi](#)

1, 26 May Square

Tbilisi 0171

Georgia

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PROGRAMME

6 June

09h30 Official opening

Chair: Ms Catherine KARDAVA, Head of the Civil Service Bureau, Georgia

- Mr Alexander BARAMIDZE, First Deputy Minister of the Ministry of Justice, Georgia
- Ms Maia TSKITISHVILI, Head of the Administration of the Government, Georgia
- Mr Niels SCOTT, UN Resident Coordinator and UNDP Resident Representative
- Mr Alikhan BAIMENOV, Chairman of the Steering Committee, Regional Hub of Civil Service in Astana
- Mr Davor DUBRAVICA, Chairperson, Regional Anti-corruption Initiative
- Ms Olga SAVRAN, Manager, Anti-Corruption Network, OECD
- “Anti-corruption policy and institutional framework: the role of the Anti-Corruption Council in Georgia” - Mr Zurab SANIKIDZE, Head of the Analytical Department, Secretary of Anti-Corruption Council, Ministry of Justice, Georgia

10h30 Coffee break

Session I: Introduction to the methodology of the OECD/ACN study on “Assessing the Implementation and Effectiveness of Systems for Disclosing Interests and Assets of Public Officials”

11h00 *Moderator:* Ms Liubov SAMOKHINA, Legal and Policy Analyst, Anti-Corruption Division, OECD

- Mr Robert Alan DOIG, OECD Consultant, Newcastle Business School, Northumbria University, England
- Ms Laura STEFAN, OECD Consultant, Expert Forum, Rule of Law and Anticorruption Coordinator, Romania
- Mr Giuseppe LOMBARDO, OECD Consultant on financial integrity, anti-money laundering and countering the financing of terrorism

Discussion

12h30 Lunch

Session II: Assessing the Implementation and Effectiveness of Interests and Asset Disclosure Systems Aimed at Preventing and Resolving Conflicts of Interest

14h00 *Moderator:* Ms Shelley INGLIS, Regional Governance and Peacebuilding Team Leader, UNDP

Speakers:

- “New system for interests and asset disclosure in Chile within the context of the integrity agenda” - Mr Francisco Sebastián SANCHEZ LAY, Advisor, Transparency and Probity Commission, Ministry General Secretariat of Presidency, Chile
- Mrs Dalija OREŠKOVIC, President, Commission for the Resolution of Conflicts of Interest, Croatia
- “Regulatory/performance audits towards assessing the effectiveness of interests and asset disclosures by public officials” - Mr Valērijs STŪRIS, Head of policy planning and analysis, State Audit Office, Latvia
- “Interests declarations: an essential tool for institutions to detect and manage conflicts of interest” - Ms Marisa MIRALLES, Legal Advisor, Anti-Fraud Office of Catalonia, Spain
- “Financial disclosure in the U.S. executive branch: improvements continue” - Ms Patricia ZEMPLE, Ethics Specialist, Department of the Interior, United States of America

Discussion

15h30 Coffee break

Session III: Assessing the Implementation and Effectiveness of Interests and Asset Disclosure Systems Aimed at Monitoring Wealth Variations of Public Officials and Identifying Illicit Enrichment

16h30 *Moderator:* Ms Laura STEFAN, OECD Consultant, Expert Forum, Rule of Law and Anticorruption Coordinator, Romania

Speakers:

- “The strengths and weaknesses of asset disclosure system of Armenia” - Ms Lilit PETROSYAN, Commissioner, Commission on Ethics of High-Ranking Officials, Armenia
- “Asset declaration monitoring system in Georgia” - Mr Elguja MAKALATIA, Head of the Declaration Monitoring Department, Civil Service Bureau, Georgia

- “Challenges of effective asset disclosure in Georgia: a civil society perspective” - Mr Erekle URUSHADZE, Program Manager, TI Georgia
- “Declaration of assets by public officials in the Kyrgyz Republic: practice and prospects” - Mr Oleg TARBINSKI, Deputy Director, State Personnel Service, Kyrgyzstan
- Mr Lkhagvasuren SUCH-OCHIR, Head of Division, Inspection Division of the Inspection and Analysis Department, Independent Authority against Corruption, Mongolia
- “Key aspects of wealth monitoring (and control of interests) in Portugal: structure, conduct and performance” - Mr José Manuel RIBEIRO DE ALMEIDA, Senior Public Prosecutor, Constitutional Court, Portugal
- “From paper to open data: functioning the new e-asset declaration system in Ukraine” - Mr Valerii SAIENKO, Deputy head of the department for financial control, National Agency on Corruption Prevention, Ukraine and Mr Ivan PRESNIAKOV, Project Lead, UNDP Ukraine

Discussion

18h00 End of day

7 June

Session IV: Assessing the Implementation and Effectiveness of Interests and Asset Disclosure Systems Pursuing Dual Goals

9h30 *Moderator:* Mr Alan Robert DOIG, OECD Consultant, Newcastle Business School, Northumbria University, England

Speakers:

- “Concept for improving the effectiveness of the asset disclosure systems and prevention of corrupt behavior among the senior ranking officials” - Ms Silvia KADREVA, Director of the Public Registry on Asset Declarations, National Audit Office, Bulgaria
- “A data-driven approach: implementation and effectiveness of the French interests and assets disclosure system” - Mr Guillaume VALETTE-VALLA, Secretary General, High Authority for Transparency in Public Life, France
- “Construction of the institutional integrity system: financial disclosures and policies to manage conflict of interests, incompatibilities and unjustified assets” - Ms Anamaria ANGHELESCU, Head of Office, Integrity Inspection, National Integrity Agency, Romania
- “Introduction to the Slovenian approach to conflicts of interest and illegal enrichment with an emphasis on the role of the Commission for the Prevention of Corruption” - Mr Matic KUMER, Adviser on Prevention and Public Integrity, Commission for the Prevention of Corruption, Slovenia

- “Increasing effectiveness through administrative and criminal sanctions” - Mr Mato MEYER, Chief Technical Advisor for Anti-corruption, UNDP Kosovo³

11h00 Coffee break

Discussion

13h00 Lunch

Session V: Global perspectives on the Systems for Interests and Asset disclosures by Public Officials

14h00 *Moderator:* Ms Olga SAVRAN, Manager, Anti-Corruption Network, OECD

Speakers:

- Mr Constantine PALICARSKY, Crime Prevention and Criminal Justice officer, UNODC
- “Towards more robust disclosures of interests and assets by members of parliament, judges and prosecutors: GRECO’s approach” - Ms Vita HABJAN BARBORIČ, Member of Bureau, Group of States against Corruption (GRECO) of the Council of Europe
- Ms Tea ZARNADZE, Senior Project Officer, Economic Crime and Cooperation Division - Directorate General I, Council of Europe
- “How regional cooperation benefits national efforts: cooperation on asset disclosure and conflict of interest experiences from South East Europe” - Mr Vladan JOKSIMOVIC, Head of Secretariat, Regional Anti-corruption Initiative
- Mr Cahya HARDIANTO HAREFA, Director of State Organizer’s Assets Registration & Examination, Corruption Eradication Commission, Indonesia

16h00 Coffee break

Discussion

16h30 Closing remarks by the host and co-organisers

17h00 End of the conference

³ References to Kosovo shall be understood to be in the context of Security Council Resolution 1244 (1999)