

BEST PRACTICES IN COMBATING CORRUPTION...



<https://thriveglobal.com/stories/integrity-is-everything/>

...with special emphasis on preventive measures

Astana Civil Service Hub
Drago Kos
10 February, 2022

DATA WERE ANALYSED FOR THE FOLLOWING COUNTRIES

Albania

Georgia

Romania

Armenia

Kazakhstan

Slovenia

Bosnia and Herzegovina

Latvia

Tajikistan

Bulgaria

Lithuania

Ukraine

Croatia

Poland

Uzbekistan



TI CPI DEVELOPMENT IN THE LAST 20 YEARS

Perception of the population concerning the level of corruption in their countries

	Alb	Arm	BiH	Bul	Cro	Geo	Kaz	Lat	Lit	Pol	Rom	Slo	Taj	Ukr	Uzb	Av.
2000	x	2.5	x	3.5	3.7	x	3.0	3.4	4.1	4.1	2.9	5.5	x	1.5	2.4	3.33
2005	2.4	2.9	2.9	4.0	3.4	2.3	2.6	4.2	4.8	3.4	3.0	6.1	2.1	2.6	2.2	3.26
2010	3.3	2.6	3.2	3.6	4.1	3.8	2.9	4.3	5.0	5.3	3.7	6.4	2.1	2.4	1.6	3.62
2015	36	35	38	41	51	52	28	56	59	63	46	60	26	27	19	42.5
2020	36	49	35	44	47	56	38	57	60	56	44	60	25	33	26	44.4



TI GCB DEVELOPMENT IN THE LAST 15 YEARS

Percentage of people paying bribes in the last year:

	Alb	Arm	BiH	Bul	Cro	Geo	Kaz	Lat	Lit	Pol	Rom	Slo	Taj	Ukr	Uzb	Aver.
2006	66	/	5	8	7	7	/	/	28	8	20	/	/	/	/	18.6
2011	/	23	23	8	5	4	/	15	34	16	20	4	/	37	/	17.2
2016	34	24	27	17	10	7	29	15	24	7	29	3	50	38	18	22.1



SOME CONCLUSIONS ON THE AC „ACHIEVEMENTS“ IN THE LAST YEARS, I.

- lack of success in anti-corruption efforts directly undermines general trust of citizens,
- many anti-corruption achievements in the countries result from international pressure,
- even countries registering success at a general level of their anti-corruption activities, face problems in specific corruption areas,
- some governments engage in a deliberate obstruction of AC efforts suggested by int'l community,
- some of the ruling political parties try to avoid defeat at the next election by consolidation of executive, legislative, and judicial power in their favour, by unwillingness to root out high-level abuse of office and by mass appointments based on party loyalty and personal connections,

SOME CONCLUSIONS ON THE AC „ACHIEVEMENTS“ IN THE LAST YEARS, II.

- the lack of independence of law enforcement bodies and judiciary, the lack of successful cases against high-ranking officials, retaliatory measures against successful anti-corruption officials and activists and attacks against independent media are making the situation even worse,
- challenging conditions imposed by the Covid-19 pandemic, often accompanied by a decreased level of „corruption-attention“ of the law enforcement agencies, have been misused in quite a number of countries by their top-level officials for gaining additional wealth,
- the overarching political goal of many governments is only to win the next elections and not to really fight corruption and to change something for the good of their citizens.

WHAT TO DO TO IMPROVE THE SITUATION?

START WITH PREVENTIVE MEASURES TO ENHANCE PUBLIC INTEGRITY !

ELEMENTS OF A PUBLIC SECTOR INTEGRITY

- political will,
- preventive policies,
- preventive agencies,
- recruitment and promotion of public officials,
- prevention of conflict of interests,
- codes of conduct,
- reporting on assets and interests,
- assessment and management of corruption risks,
- proper public procurement,
- management of public finances,
- access to public information,
- whistleblowing,
- legislative traceability,
- participation of society,
- anti-corruption training,
- enhancement of the effectiveness of national AC efforts.



POLITICAL WILL

- Political leaders in a country have to ensure „tone from the top“ in fighting corruption
- It is not only about political declarations but much more about practical behaviour and politicians' actions in the AC area
- Five most important tasks of a politician really wanting to fight corruption (easy to check): serving as a role model, development of proper legislation, establishment of and practical support (ensuring resources) to specialised AC bodies, no interference into their work, supporting their work and upholding their decisions
- Strictly respecting the rule of law – in his/her own cases and in cases of other individuals: no impunity is allowed
- No subordination of AC activities to other goals (protecting relations with other countries, national economic interests, certain individuals,...)

IMPORTANT: All politicians talk about fighting corruption, only few really do it.



PREVENTIVE POLICIES IN PRACTICE

- UNCAC, Article 5, is establishing the obligation of State Parties to develop and implement or maintain effective, coordinated anti-corruption policies
- In countries, policies can be national, regional and sectoral. Organisations can also have their own anti-corruption policies
- The most important parts of policies are their principles, anti-corruption measures, mechanisms for their implementation and procedures for their review
- Mechanisms for implementation are normally composed of institutions/organisations/departments responsible for the implementation of AC measures, time-limits for implementation, institutions authorised for monitoring of the implementation
- Quite often, policies are accompanied by action plans with different levels of details

IMPORTANT: Even the best policy unimplemented will not change anything!



PREVENTIVE ANTI-CORRUPTION AGENCIES, I.

- the most important partner of specialised anti-corruption preventive institutions are general public, civil society organisations and international organisations,
- specialised anti-corruption preventive institutions should only be established following a thorough research, including SWOT analysis,
- sustainability of functioning of specialised anti-corruption preventive institutions is the most important key for their success,
- specialised anti-corruption preventive institutions should be established and regulated by a law and not by other legal instrument of a weaker legal strength,,
- specialised anti-corruption preventive institutions should have legal personality,
- a structure of specialised anti-corruption preventive institutions should be envisaged in a way, which will guarantee the highest possible level of effectiveness and clear lines of responsibility,
- independence or absolute operational autonomy, as a minimum, of specialised anti-corruption preventive institutions should be ensured,
- specialised anti-corruption preventive institutions should draft their financial plans autonomously and implement them independently,

PREVENTIVE ANTI-CORRUPTION AGENCIES, II.

- the selection and appointment of managers of specialised anti-corruption preventive institutions can be organised in different ways but always following the principle that the decisive role in the recruitment belongs to experts and not to representatives of the country's political system,
- reasons for a dismissal of managers of specialised anti-corruption preventive institutions should be narrow, similar to the concept used for dismissal of professional judges in the country,
- managers of specialised anti-corruption preventive institutions and those institutions themselves should be protected from any undue interference and smear campaigns,
- competencies of specialised anti-corruption preventive institutions should be drafted in a comprehensive and precise manner, not allowing for any misunderstandings or mistakes, and not allowing for duplication of competencies with other institutions,
- in all circumstances, specialised anti-corruption preventive institutions should be authorised, capable and willing to issue their voice publicly about corrupt behaviour of citizens of their countries,
- specialised anti-corruption preventive institutions can have different powers, depending on their role and goals, however, as a minimum, their powers should include a right to request and receive the necessary information and documentation from all public institutions and organisations of public and private law in a reasonable period of time, to summon and interview individuals and to request the assistance from other public bodies in the framework of their powers

PREVENTIVE ANTI-CORRUPTION AGENCIES, III.

- in conformity with their national laws, specialised anti-corruption preventive institutions should have the power to directly apply sanctions for breaches from their jurisdiction,
- sanctions applied by the specialised anti-corruption preventive institutions should be effective, proportionate and dissuasive,
- accountability and reporting duties of specialised anti-corruption preventive institutions shall not include the possibility for other public bodies or individuals to interfere with their independence and functioning,
- supervisory powers over functioning of specialised anti-corruption preventive institutions or their managerial structures should not allow for misuses and undue influence,
- retaliatory measures against the personnel of specialised anti-corruption preventive institutions should be effectively prohibited and rigorously sanctioned,
- when specialised anti-corruption institutions have combined (preventive and repressive) powers, recommendations from above also apply for those institutions.

RECRUITMENT AND PROMOTION OF PUBLIC OFFICIALS

- Recruitment, hiring, retention, promotion and retirement of civil servants and, where appropriate, other non-elected public officials has to be based on principles of efficiency, transparency and objective criteria such as merit, equity and aptitude, not on their political affiliation, race, sex,....
- Public officials have to be trained – also in the area of ethics/integrity. In addition to introductory training there has to be regular (usually annual) „refreshing“ training
- Public officials deserve to have adequate remuneration and equitable pay scales
- Rights of public officials have to be protected by the law and courts.
- Public officials are part of the public sector, which can accelerate or slow down the whole „public sector anti-corruption agenda“

IMPORTANT: The principle „it is not important what are his/her competences but the fact that s/he is one of us“ is the most dangerous principle for the effective and efficient public sector.



PREVENTION OF CONFLICT OF INTERESTS, I.

- conflict of interests provisions should apply for the widest possible range of public officials in a country, including the highest ones, with a special sensitivity and solutions for directly elected public officials,
- a definition of “conflict of interests” should cover real, apparent and potential conflict of interests, which influences, seems to influence or might influence objective and impartial performance of public official’s duties,
- a definition of “private interests” should cover economic and non-economic benefits to the advantage of the public official, public official’s family members and other natural and legal persons, with whom the public official has or has had business, personal, political or similar relations,
- a definition of “family members of the public official” should not only cover person related by blood but also persons living with the public official in the same household or in a common-law relationship,
- provisions on conflict of interests should cover all possible forms of conflict of interests situations: incompatibility of public official’s public function or position with other public functions or position, incompatibility of his/her public function or position with memberships, functions and positions in other organisations of public or private law, prohibition of other profit-making activities, prohibition of establishing business relations between the public office of the public official and organisations where his/her private interests exist, prohibition of “revolving doors” (“pantouflage”), prohibition or limitation on acceptance of gifts and rules on “daily” conflicts of interests,

PREVENTION OF CONFLICT OF INTERESTS, II.

- rules on incompatibility of public official's public function or position with other public functions or position should be based on the need to avoid diverging interests of different public offices and on the requirement for a public official to fulfil duties at his/her basic function or position full-time and with the highest possible level of commitment and loyalty,
- rules on incompatibility of public official's public function or position with memberships, functions and positions in other organisations of public or private law should be based on the need to avoid contradictory interest between requirements of his/her public function or position and interests of those organisations,
- rules on prohibition of other profit-making activities of the public official should be based on the preservation of public official's time and energy for performing his/her basic public function or position and on the need to avoid contradictory interests between requirements of his/her public function or position and demands of those activities,
- rules on prohibition of establishing business relations between the public office of the public official and organisations where his/her private interests exist should be based on the need to avoid contradictory interests between requirements of his/her public function or position and interests of those organisations,
- rules on prohibition of "revolving doors" should be based on the need to avoid possible conflict of interests and preferential treatment between the former public institution, function or position of a public official and his/her new employment, representation or organisation,
- rules on prohibition or limitation on acceptance of gifts by the public official should be based on the need to avoid situations, where the gifts offered, promised or given would influence public official's objective and impartial performance of duties,

PREVENTION OF CONFLICT OF INTERESTS, III.

- rules on “daily” conflict of interests should include clear instructions for actions and behaviour of public officials finding themselves in a situation of real, apparent or potential conflict of interest,
- a duty of public officials should be introduced to regularly declare all of their jobs, memberships, functions, positions and interests and to immediately declare situations, where during the performance of their public function or position they find themselves in a situation of a conflict of interest,
- declarations of interest and declarations of the conflict of interests can be submitted to the superiors of the public officials and/or to a relevant body or specialised agency,
- if the public officials find themselves in a situation of conflict of interests, they should immediately cease to perform any work with regard to the matter in which the conflict of interests has arisen, unless the delay would pose a risk, and wait for further instructions of the superior, other relevant body or a specialised agency,
- agencies dealing with conflict of interests should have all the powers needed to verify reports on interests and to make qualitative decisions in situations of conflict of interest,

PREVENTION OF CONFLICT OF INTERESTS, IV.

- as a minimum, powers of the agencies dealing with conflict of interests should include a right to request and receive the necessary information and documentation from all public institutions and organisations of public and private law in a reasonable period of time, to summon and interview individuals and to request the assistance from other public bodies in the framework of their powers,
- sanctions applied for breaches of legal obligations in the area of conflict of interests should be effective, proportionate and dissuasive,
- public officials subject of sanctioning should have the right to explain their position before the application of sanctions and should have the guaranteed right for challenging decisions on sanctions,
- countries should consider regulating conflict of interests in the same laws as the duty of public officials to report their assets and consider authorising the same specialised agencies to deal with both topics.

CODES OF CONDUCT

- Codes of conduct are very useful for ethical, honourable and proper performance of public functions
- They have to be developed and adopted by their addressees (public officials, civil servants,...) in order to achieve internalization
- They should offer responses to all ethical challenges of public officials
- There has to be a consultative mechanism (an individual or a unit) in the institution, offering assistance and advice to public officials with regard to the implementation of the Code
- Breaches of the Code should be sanctioned, respect of the Code should be rewarded
- Text of the Code should be reviewed in regular intervals
- In the past, codes were mainly of a prohibitive nature, today they are more of an encouraging/positive nature

IMPORTANT: The best Code of Conduct is the one, which is understood by its addressees as their ultimate „ethical Bible“.



REPORTING ON PUBLIC OFFICIALS' ASSETS, I.

- provisions on duties of public officials to report their assets should apply to the widest possible range of public officials in a country, especially to the highest ones,
- in addition to public officials also other persons, who might be used by public officials to hide their assets – family members, partners, etc – should also be obliged to report their assets, whereby a gradual approach, according to which some of “other persons”, but not family members, would have to report only in cases of existing suspicions on their participation in hiding the assets can also be considered,
- public officials should report their assets immediately after taking a public position or function, during their tenure on a regular basis and after certain period of time after ending their public position or function. In addition, a possibility for a duty of public officials to report any (significant) change in their assets instantly could also be considered,
- assets to be reported by public officials should be defined extensively and precisely, with all elements influencing the wealth of public officials on a positive but also on a negative side (debts, etc),
- reports on assets of public officials should be made publicly available with the exception of protected personal and other sensitive data, whereby the range of exceptions should be as narrow as possible,
- all reports have to be subject of a thorough verification, whereby the criteria for prioritisation of the verification of reports should be clear and known in advance, especially taking into consideration the importance of functions and positions of public officials and their exposure to potential integrity risks,
- an important part of verification is also comparison of assets of public officials through longer periods of time,

REPORTING ON PUBLIC OFFICIALS' ASSETS, II.

- reports on assets of public officials should, in principle, be collected, stored and verified by specialised agencies, with the exception of cases of reports of the lowest levels of public officials, which can be collected, stored and verified by their immediate superiors, depending on the manageability of the reporting system,
- agencies collecting, storing and verifying reports should be absolutely autonomous in performing their duties and have appropriate equipment, powers and other resources at their disposal for effective and transparent fulfilment of duties,
- as a minimum, powers of the agencies dealing with reports on public officials' assets should include a right to request and receive the necessary information and documentation from all public institutions and organisations of public and private law, including banks, in a reasonable period of time, to summon and interview individuals and to request the assistance from other public bodies in the framework of their powers,
- agencies collecting and verifying reports of public officials should have a direct online access to data of other public agencies, if appropriate,
- sanctions applied for breaches of legal obligations in the area of asset reporting should be effective, proportionate and dissuasive,
- cases where assets of public officials exceeding their legal incomes are confirmed and the surplus cannot be justified by public officials, should be transferred to other relevant authorities in order to enable the conduct of necessary investigations and application of other measures, including taxation, seizure and confiscation.

REPORTING ON PUBLIC OFFICIALS' ASSETS, III.

- public officials subject to sanctions should have the right to explain their position before the application of sanctions and should have the guaranteed right for challenging decisions on sanctions,
- countries should consider regulating assets' reporting in the same laws as conflict of interests and consider authorising the same specialised agencies to deal with both topics,
- if possible, countries should introduce electronic reporting, storage and verification (using software for automatic detection of red flags), enhancing the speed, traceability and manageability of collection, storage and verification of reports on public officials' assets,
- in compliance with their basic legal principles countries should consider introduction of a criminal offence of illicit enrichment, as defined by the UN Convention against Corruption.

ASSESSMENT AND MANAGEMENT OF CORRUPTION RISKS

- Many countries and organisations are assessing different risks (emanating from earthquakes, floods, fires,...) in order to plan the countermeasures
- Surprisingly enough, assessment (and management) of corruption risks is not a very common feature
- There are different types of „corruption risk assessment and management tools“: VCAs (vulnerability to corruption assessment), integrity plans, SIAs (system integrity analysis),... but they all share the same elements
- Basic elements of any corruption risk assessment and management tool: identification of corruption risks and their prioritisation (according to the level of possibility and their impact), planning of countermeasures and implementation of those countermeasures (and related responsibility)

IMPORTANT: It is not enough just to know what corruption risks are threatening, something has to be done to prevent or suppress them.



PROPER PUBLIC PROCUREMENT

- Public procurement should be based on the following principles: transparency, competition and objective criteria in decision-making, whereby the appropriate threshold values in their application may be taken into account
- Information relating to procurement procedures and contracts, including information on invitations to tender and relevant or pertinent information on the award of contracts should be publicly distributed
- Conditions for participation, including selection and award criteria and tendering rules, should be defined in advance
- Criteria for public procurement decisions should be objective and predetermined in order to facilitate the subsequent verification of correct application of the rules or procedures
- Effective system of domestic review of public procurement decisions should be introduced
- Declarations of interests, screening procedures and training requirements for public procurement staff should be introduced
- Some countries use on-line publicly accessible public procurement systems



IMPORTANT: The cheapest purchase is not necessarily the best one.

MANAGEMENT OF PUBLIC FINANCES

- Basic principles for the management of public finances are transparency and accountability
- Management of public finances rests on four pillars: procedures for the adoption of the national budget, timely reporting on revenue and expenditure, system of accounting and auditing standards and related oversight; effective and efficient systems of risk management and internal controls
- The integrity of accounting books, records, financial statements or other documents related to public expenditure and revenue should be preserved to prevent the falsification of such documents
- Some countries use systems, which enable on-line access to budget expenditure of all public institutions by anyone interested
- Especially at the local level, citizens might be invited to participate in planning the use of local budgets

IMPORTANT: The best way to gain trust of citizens is full transparency of public finances.



ACCESS TO PUBLIC INFORMATION, I.

- public information is information produced, maintained and shared by public organisations,
- the right to access to public information should be enshrined in a law or in the Constitution, if appropriate,
- the right to access to public information should not be influenced by different crisis situations in the society, unless otherwise provided by a law in advance,
- a special emphasis should be given to the access to public information concerning public expenditure,
- public organisations are public institutions *stricto sensu* in all three branches of power, independent public institutions and state-owned enterprises,
- the right to access to public information includes the right to its re-use, unless prohibited or restricted by a law or the rights of the third parties,
- the right to access to public information can only be limited exceptionally and by a law on a basis of narrow and carefully selected reasons, not endangering the basic idea of general accessibility of public information,
- a beneficiary with the right to request the access to public information is every person, natural or legal, without the necessity to demonstrate a legal interest,
- a request for the access to public information does not have to be motivated,
- there should be no fees for exercising the right to access to public information - with the exception of direct costs for its provision,

ACCESS TO PUBLIC INFORMATION, II.

- the form for a request to access to public information should be a simple one and publicly available,
- the procedure for the access to public information should be publicly available, simple, quick and preferably digital,
- holders of public information should post basic information concerning their organisation and functioning on their websites and develop and maintain publicly accessible register of all documents, preferably in a digital form,
- the form in which the requested information is submitted to the person requesting the access to it, should be aligned to his/her expressed requests, if possible,
- deadlines for complying with the request for the access to public information should be as short as possible,
- reasons for a denial of access to public information should be narrow and carefully selected, not endangering the basic idea of general accessibility of public information,
- in a case of a denial of the access to public information, the person making the request should receive the information about reasons for a denial in a written form,
- the person, whose request for the access to public information was denied, should have the right to appeal that decision and ultimately challenge it at the court,
- excessive systems of secrecy and liabilities for defamation are unduly restricting the right to access to public information,
- training and awareness raising on the access to public information of public officials should be ensured,

ACCESS TO PUBLIC INFORMATION, III.

- some of the public officials in public organisations should be specialised for dealing with requests for the access to public information,
- countries should consider establishing specialised and independent oversight authorities ensuring the right to access to public information,
- countries should consider the utilisation of open government data portals,
- a proper balance should be found between protection of privacy and other rights of persons and the right to access to public information,
- effective, proportionate and dissuasive sanctions should be introduced for (deliberate) breaches of the access to public information legislation.
- really good practices are available: Greece (many open data portals) , Slovenia (Erar)

WHISTLEBLOWING

- A whistleblower is a person who reports in **good faith and** on reasonable grounds
- The best rules on whistleblowing are the ones not limited to specific breaches as a condition for the protection of whistleblowers and not limiting the right of a whistleblower to freely choose the addressee of his/her report, including media
- Only exceptions related to reasonable protection of legitimate secrets are allowed (they should not be reported to general public)
- There are some basic conditions for effective whistleblowing and whistleblowers protection: (knowledge on) a system in place enabling whistleblowers to deliver their reports anonymously, dealing with WB reports seriously and reporting back to whistleblowers, in case of confirmed facts from the WB reports, consequences (sanctions) for the wrongdoers should follow publicly, (knowledge on) a system in place for the effective protection of whistleblowers and their relatives
- Whistleblowers should be „taken by hand and assisted“

IMPORTANT: There is no country in the world protecting whistleblowers absolutely.



LEGISLATIVE TRACEABILITY

- Countries have to develop a system, which will enable everybody to see the „legislative foot-print“ (information on all organisations/individuals influencing the text of legal provisions in the process of their adoption)
- Every interference/influence in the process of drafting of legislation should be registered
- Participation in the legislative process should reasonably be allowed to everyone, who can add substantially to the quality of the provisions under preparation
- Rules have to be in place to ensure the balance between the widest possible participation of public in legislating and effectiveness of the legislative process

IMPORTANT: Without legislative traceability there is a risk that legal provisions will be developed only in the interest of certain individuals or/and organisations.



PARTICIPATION OF SOCIETY

- General public has to have the right to participate in „running the country“
- Forms of participation differ significantly from country to country, depending on their level of democracy
- Only legally protected forms of participation „make sense“
- Fighting for the widest possible range of options for the participation of society in running public matters is one of the most important fights in any country
- Participation of society should not create chaos in the country
- Participation of society contains the responsibility of members of society participating

IMPORTANT: In a complicate world in which we live today not all decisions can be made through a popular vote but certain forms of societal participation are possible.



ANTI-CORRUPTION TRAINING

- In today's complicated world it is not enough to rely only on our grand mother's wisdom on what is right and what is wrong
- Public officials, in addition to other form of their professional training, should also receive training on ethics, integrity and anti-corruption
- Their knowledge has to be regularly refreshed and assessed
- In some countries passing ethical tests (annually) is a condition for employment
- Anti-corruption training and related tests can be very attractive, cheap and not too time-consuming
- Public officials have to have the possibility to ask for free advice in the areas of ethics, integrity and anti-corruption

IMPORTANT: It is a must not only to build and train public administration specialists but to build and train ethical public administration specialists.



ENHANCING THE EFFECTIVENESS OF NATIONAL AC EFFORTS, I.

- an atmosphere needs to be created in a country in which living and working with integrity is a virtue and not a shortcoming,
- effective prevention and suppression of corruption should be real and genuine will of the governments,
- governments are responsible for developing, maintaining, supporting and defending legal, institutional and practical frameworks for the fight against corruption,
- there should be a proper balance between prevention and suppression of corruption,
- political leaders should not only develop, maintain, support and defend national legal, institutional and practical frameworks, needed to fight corruption but also serve as models of integrity in their professional and personal life,
- privacy rights of public officials should be limited to the extent needed for an effective prevention of their potential corrupt activities,
- national legal frameworks of all countries have to be adjusted to ratified international anti-corruption legal instruments,
- recommendations issued by international monitoring anti-corruption organisations should be implemented in given deadlines,
- changes in the legal framework, required by international anti-corruption legal instruments and recommendations issued by international monitoring anti-corruption organisations should not be undermined by “compensatory” measures,

ENHANCING THE EFFECTIVENESS OF NATIONAL AC EFFORTS, II.

- financing of political parties and election campaigns should be legally regulated, transparent and autonomously supervised,
- specialised anti-corruption and other similar organisations in a country should be free from any undue influence and have appropriate powers and resources at their disposal, their decisions and conclusions should be followed diligently and timely,
- integrity curricula should be included in the programs of educational organisations at all levels, starting with kindergartens,
- recruitment and promotions at all levels of governments, with the exception of the political ones, should rest exclusively on merit-based criteria,
- functioning of public institutions should be transparent and open to the public to the maximum extent possible,
- media freedom should be practically guaranteed,
- any deviation from a required functioning with integrity in public sector should be accompanied by appropriate political, labour and disciplinary consequences,
- any form and level of corrupt behaviour has to be punishable by effective, proportionate and dissuasive sanctions,
- there should be absolutely no impunity,

ENHANCING THE EFFECTIVENESS OF NATIONAL AC EFFORTS, III.

- whistleblowing should be recognised as a positive social function, supported and protected,
- victims of corruption should be supported and compensated for the damage suffered,
- governments, private sector and civil society organisations should be equal partners in the fight against corruption,
- companies should be stimulated for introduction and maintenance of effective compliance mechanisms,
- civil society organisations should be enabled and supported to perform their function of society watch-dogs,
- active engagement of citizens in the fight against corruption needs to be promoted in order to ensure quality and sustainability of anti-corruption achievements,
- fighting corruption in a country should not cause more harm to the country than corruption itself.

ELEMENTS OF PERSONAL INTEGRITY

Two challenges are really important for each person wanting to act honestly:

- **to understand when s/he is in a risky situation, which might soon turn into a corruption case**
- **to make a right decision when the risky situation really does turn into a corruption case (the person is confronted with offer, promise or demand of a bribe)**

Proper reaction to the first challenge requires knowledge (with regard to the type of threatening corruption risk and how to avoid it), proper reaction to the second challenge requires personal bravery (not to be afraid to say „NO“)

NEVER FORGET:

It is each of us (not the police, the prosecutors, the judges or members of specialised anti-corruption agencies), who can make a difference – by simply being able and brave enough to say: „**I do not want to take part in it!**“

THANK YOU FOR YOUR ATTENTION!

QUESTIONS?

COMMENTS?

REMARKS?

RESOURCES USED

1. Council of Europe, Details of Treaty 173 [Full list \(coe.int\)](#)
2. Council of Europe, Details of Treaty 174 [Full list \(coe.int\)](#)
3. Council of Europe, GRECO, [Welcome to the GRECO website \(coe.int\)](#)
4. Freedom House, Democracy under siege, [Freedom in the World 2021: Democracy under Siege | Freedom House](#)
5. OECD, Anti-Corruption Network for Eastern Europe and Central Asia, [Anti-Corruption Network for Eastern Europe and Central Asia - OECD](#)
6. OECD, Working Group on Bribery in International Business Transactions, [OECD Working Group on Bribery in International Business Transactions - OECD](#)
7. The Act Relating to the Right of Access to Documents Held by Public Authorities and Public Undertakings, Norway, [Act relating to the right of access to documents held by public authorities and public undertakings \(Freedom of Information Act\) - Lovdata](#)
8. The Conflict of Interest Law, Latvia, [Latvia Conflict of Interest Law 2002 consolidated as of 2007_EN.pdf \(worldbank.org\)](#)
9. The Freedom of Information Act, Latvia, [Freedom of Information Law.docx \(live.com\)](#)
10. The Law on Adjusting Public and Private Interests, Lithuania, https://vtek.lt/wp-content/uploads/2020/10/The_Law_on_Adjusting_Public_and_Private_Interests_2020.docx
11. The Law on Chief Official Ethics Commission, Lithuania, [Relevant Laws - Chief Official Ethics Commission \(vtek.lt\)](#)
12. The Law on Integrity and Prevention of Corruption, Slovenia, [ZIntPK 2011 - ENG za tisk \(kpk-rs.si\)](#)
13. The Law on Integrity in Exercising Public Offices and Dignities, Romania, [Romania Law 176_2010 on integrity in exercising public offices and dignities.pdf \(europam.eu\)](#)
14. The Law on Prevention of Corruption, Serbia, [Law on prevention of corruption - Агенција за спречавање корупције \(acas.rs\)](#)
15. The Law on the Prevention of Corruption, Ukraine, [default.aspx \(coe.int\)](#)
16. The Public Information Act, Estonia, [Public Information Act-Riigi Teataja](#)
17. Transparency International, Corruption Perception Index, 2020 - CPI - [Transparency.org](#)
18. Transparency International, Global Corruption Barometer, [Global Corruption Barometer - Transparency.org](#)
19. UNODC, UNCAC Ratification Status, [Ratification status \(unodc.org\)](#)