PRACTICAL GUIDE:

HOW TO CONDUCT MONITORING BY CIVIL SOCIETY

ISTANBUL ANTI-CORRUPTION ACTION PLAN

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About the Anti-Corruption Network for Eastern Europe and Central Asia

Established in 1998, the main objective of the Anti-Corruption Network for Eastern Europe and Central Asia (ACN) is to support its member countries in their efforts to prevent and fight corruption. It provides a regional forum for the promotion of anti-corruption activities, the exchange of information, elaboration of best practices and donor coordination via regional meetings and seminars, peer-learning programmes, and thematic projects. ACN also serves as the home for the Istanbul Anti-Corruption Action Plan. Find out more at www.oecd.org/corruption/acn/.

About the Istanbul Anti-Corruption Action Plan

The Istanbul Anti-Corruption Action Plan is a sub-regional peer-review programme launched in 2003 in the framework of the ACN. It supports anti-corruption reforms in **Armenia**, **Azerbaijan**, **Georgia**, **the Kyrgyz Republic**, **Kazakhstan**, **Mongolia**, **Tajikistan**, **Ukraine** and **Uzbekistan** through country reviews and continuous monitoring of participating countries' implementation of recommendations to assist in the implementation of the UN Convention against Corruption (UNCAC) and other international standards and best practice.

Find out more at www.oecd.org/corruption/acn/istanbulactionplan/.

FOREWORD

Fighting corruption and promoting good governance are among the main priorities of the OECD. The OECD has established anti-corruption standards and good governance principles, and has promoted their implementation by member countries through mutual reviews and elaboration of good practices. It also helps non-members to improve their domestic anti-corruption and good governance efforts by sharing of experience and analysis through regional programmes. The Anti-Corruption Network for Eastern Europe and Central Asia (ACN) is one such regional anti-corruption programme (www.oecd.org/corruption/acn); over the decade it has been the main vehicle for promoting OECD standards and supporting anti-corruption programmes in this region.

The OECD Anti-Corruption Network for Eastern Europe and Central Asia (ACN) implements the Istanbul Anti-Corruption Action Plan (IAP), a programme of mutual reviews and monitoring of anti-corruption reforms involving Armenia, Azerbaijan, Georgia, Kyrgyzstan, Kazakhstan, Mongolia, Ukraine, Tajikistan and Uzbekistan.

In December 2012 participating countries decided to continue with the Third Round of Monitoring, which will focus closely on practical measures and effectiveness of enforcement of anti-corruption legislation. In order to help assess the situation more objectively, the Methodology of the Third Round of Monitoring aims to enhance the participation of civil society and non-governmental partners in the country monitoring process.

A key way how civil society may contribute to the monitoring is by participating in a "shadow monitoring" through which non-governmental partners can present their views regarding the implementation of the IAP recommendations by the governments of their countries. This Practical Guide was developed by the ACN Secretariat to help the civil society to ensure quality participation in the monitoring process and to help civil society groups to build their capacity for this work.

The main objective of this Guide is to analyse the methodology of the IAP Third Round of Monitoring in the context of "shadow monitoring", as well as practice that has been accumulated to date, identifying challenges and useful examples of how they can be overcome, and providing practical advice on how "shadow monitoring" can be best conducted by the non-governmental sector of nine IAP countries. The Guide also includes a section on useful resources of a general nature developed for the purposes of independent preparation and further research by the non-governmental sector.

More generally, this Practical Guide may be useful for non-governmental actors in Eastern European and Central Asian countries of ACN in playing their crucial watchdog role by monitoring the effectiveness of government's work in fighting corruption.

This Practical Guide was developed with the financial assistance provided by the UK Department for International Development – DFID Central Asia with the aim to support the non-governmental actors in Kyrgyz Republic and Tajikistan in conducing anti-corruption

monitoring. In the framework of this project so far 2 capacity building seminars for the civil society on monitoring processes have been organised in Kyrgyz Republic and Tajikistan. The training materials developed for these seminars provided the basis for this Practical Guide.

To promote the use of this Guide by the civil society groups in the Kyrgyz Republic, Tajikistan and other IAP countries, the Secretariat will publish the Guide on ACN website and will actively disseminate it among NGOs and other partners. It will also provide other assistance to NGOs, including follow-up training to Kyrgyz and Tajik NGOs.

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The main authors of this Guide are Irakli Urushadze, Transparency International Georgia, Ruslan Ryaboshapka, Ukraine, and Shalva Gogidze, Transparency International Georgia. The information on methodology of the 3rd round of monitoring under the Istanbul Action Plan was taken from the ACN Work Programme for 2013 – 2015, practical advice sections were drafted by the authors based on their direct experience; other information was taken from public sources. The information, facts and statistical data presented in this brochure were last updated in January 2014.

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INTRODUCTION

Definition of alternative monitoring

Alternative monitoring is a parallel independent participation of representatives of the non-governmental sector in all stages of IAP monitoring, which is envisaged by the methodology of its third round.

According to the IAP Third Round of Monitoring methodology, *civil society* includes a wide set of representatives of the non-governmental sector: for example, NGOs, lawyers associations, consumers associations, freedom of information associations, business associations, journalists, scientists, universities, researchers and other civil society actors.

Representatives of the non-governmental sector are invited to participate in all stages of IAP monitoring. The key contribution is to complete the questionnaire, in parallel with the Government, during the initial phase of the monitoring. Civil society is also invited to attend a special session during the on-site visit as well as the ACN plenary meeting, where the monitoring report is being discussed and approved. Further, civil society can contribute to the regular progress reports.

Why alternative monitoring is important?

The results of the Second round of monitoring showed that alternative monitoring is a very precious instrument, is unique for IAP and should be strengthened further. Alternative monitoring provides for a second alternative opinion and non-governmental source of information, and therefore it allows to secure objectives and legality of IAP monitoring reports. Public participation in the monitoring also ensures transparency of the monitoring process.

It is also important that by participating in IAP monitoring in the form of recommendations, which are given to the country in the course of monitoring, representatives of the non-governmental sector get not only a potential direction for their activities, but also a tool of influence on the country's government. By using these recommendations they can demand to initiate and implement the particular measures for development of the anti-corruption system in the country and securing of its effectiveness. Alternative monitoring can also be viewed as another opportunity for the joint work of the government and non-governmental sectors by joint giving of recommendations presented to the country within the framework of IAP monitoring.

1. ORGANIZATIONAL ISSUES

Shadow monitoring is a complex process and, given the scope of the IAP, involves work on a scale that a single organization can rarely handle. Proper planning, division of responsibilities and collaboration between different civil society organisations are therefore particularly important.

Selecting the Focus

The three focus areas of the IAP comprise a number of sub-topics. It is unlikely that any single organization will have sufficient capacity and knowledge to conduct shadow monitoring in all of these areas and on all sub-topics. Organizations will therefore need to decide on which particular issues they want their parallel monitoring to focus. Two questions are worth considering here:

a) **Relative significance of an issue** in the context of anti-corruption reforms in the country
b) The monitoring organization's **relative knowledge of a given issue** compared to others

It might be the case that, while a particular issue is an important part of the general anti-corruption policy, an organization involved in shadow monitoring has very limited knowledge and experience in the relevant area. It is also possible that an area where the organization is particularly competent is not very significant in terms of the wider anti-corruption policy. It is hence important to find the right balance and pick the areas that are important and where the organization(s) can realistically expect to deliver high-quality assessment.

Identification of Key Actors

Considering the above, it is advisable and often even necessary to divide the work that shadow monitoring involves between a number of CSOs. Most countries have multiple CSOs that each focus on specific issues and areas in their routine work. While there might be some overlapping between the focus areas of different CSOs, each one of them is likely to have its own area (or areas) of expertise and, jointly, they are more likely to be able to cover the majority (or even all) of the topics of the Istanbul Action Plan.

Conducting a joint project involving multiple CSOs is a challenge by itself. A collective effort to conduct shadow monitoring will, most likely, require one or a few organizations to take the lead (at least at the initial stage) and do some initial planning, including identification of potential participants and their respective areas of expertise. CSOs that focus primarily on corruption and anti-corruption policies (and are therefore more likely to have a good knowledge of the relevant international mechanisms, including the Istanbul Action Plan) are usually in the best position to conduct this initial work and they can subsequently reach out to other organizations that can contribute to different parts of a shadow monitoring report through their expertise in particular areas.

Collaboration

Once all the participant organizations are selected and commit to make contributions to shadow monitoring, it is necessary to have a working procedure in place. There are different options for this, including (but not limited to) the following:

a) All participant CSOs writing shadow reports of their own (focusing on their respective areas of expertise) and sending them to the Secretariat separately
b) All participant CSOs writing on their respective areas of expertise, with a designated CSO or an editor then putting these parts into a single report to be sent to the Secretariat
c) A single CSO undertaking to prepare the reports, soliciting inputs from other CSOs and/or independent experts

All of these approaches have advantages and disadvantages. Coordinating the writing of a report between multiple organizations can be very challenging but, on the other hand, a report produced through such an effort is likely to be broader in scope and offer a more comprehensive assessment of the situation. Endorsement by multiple CSOs will also increase the legitimacy and the impact of a shadow assessment.

If several organizations decide to collaborate on a joint report, it is important to start by drawing up a proper plan with clear a division of responsibilities and realistic deadlines.

Representation at plenary meeting

A representative of the civil society is invited by the ACN Secretariat to the plenary meeting where the monitoring report of the country is being reviewed and adopted. The meeting is open to other civil society organisations too.

The chosen representative can be from the designated or single CSO if scenarios (b) or (c) described above have been selected. In a scenario (a) it can be a representative of the CSO that covered most topics, or, for example, a representative of the CSO that covered areas which are most controversial or contagious in the draft report.

One month prior to the plenary meeting the draft monitoring report is circulated for comments, including to the non-governmental sector representatives.

It is important to note that the CSO participation is not limited to one person. If additional funds are found by the CSO community independently, any number of representatives can participate in the meeting and discussions of the report. This has been done on several occasions by various countries and donor community in the countries, in general, is very receptive to supporting such undertaking. Therefore, the CSOs are encouraged to seek additional support for their participation in the exercise at this stage.

2. PROCESS ISSUES

The methodology of the OECD ACN provides for active participation of the civil society in the monitoring not only through expressing their opinions but also by providing a platform for defending such opinions at all monitoring stages, as well as an opportunity for discussion with representatives of the governments and civil society of all OECD ACN member-states. In its turn, this facilitates mutual exchange of experience and education of representatives of both governmental and non-governmental sectors.

In accordance with the methodology of the third round of monitoring the process of preparation of a monitoring report is split into the following main stages:

1) Preparatory stage:

- preparation of the draft monitoring application form, sending of the application form to the government and institutions / organizations of the civil society (four months prior to the country visit);

- preparation and sending to the OECD Secretariat of the filled-in application form (two months prior to the country visit) as well as of an alternative report;

- provision of additional materials, specification of information included into the application form (three weeks prior to the country visit);

2) Stage of preparation of the draft monitoring report:

- country visit by the monitoring mission, meeting with representatives of the civil society (three months prior to the plenary meeting);

- provision of comments to the draft monitoring report (two weeks prior to the plenary meeting);

3) Approval of the monitoring report:

- participation in bilateral consultations with the monitoring mission and representatives of the government;

- presentation of the position of the civil society at the plenary meeting of the OECD ACN;

4) Stage of monitoring of the report's implementation:

- country visit by the monitoring mission for presentation of the monitoring results;

- monitoring of implementation of the recommendations containing in the report by preparation of the progress reports.

The civil society's role in alternative monitoring consists of active participation in all named stages and provision of an opinion of the third sector, i.e. the society, about the corruption issue in the country.

Therefore, it is advisable to review all stages of the monitoring process in more details.

Development of the questionnaire – asking the right questions

At this stage the OECD ACN Secretariat prepares an application form for monitoring of the relevant country. The application form contains questions, answers of which serve as indicators of compliance of the country's legal and law enforcement practices with the international anticorruption standards[1].

Questions in the application form are grouped into three sections: anticorruption policy, criminal liability for corruption crimes and prevention of corruption, and they take into account the recommendations for the country given upon the results of the second round of monitoring, as well as the specifics of the state structure, system of the state authorities, legal framework of their functioning, etc.

In order to have an opportunity to work out an application form which would be most suitable for each particular country, the OECD ACN Secretariat can send its draft to the civil society for additional commentaries. So far there was no such practice in the course of the monitoring of the first three countries during the third round, however, such opportunity exists. In case non-governmental sector of the country awaiting the monitoring process is interested and willing to take the initiative, then the organizations / institutions of the civil society responsible for implementation of the monitoring process in the country may be encouraged to express their opinion with respect to the questions under the application form and to present their wording of questions or to amend the application form with the new questions. Taking into account that the civil society is better informed about the corruption status within the country, its contribution to development of questions under the application form may positively affect the quality and volume of the collected information, which in the future would allow to prepare the most objective and comprehensive monitoring report.

Filling out of questionnaire – balance of information

The next step during the preparatory stage is submission of answers under the application form. The application form is sent four months prior to the country visit and it has to be filled in during two months. The methodology of the OECD ACN stipulates that information in the monitoring application form should reflect the following three elements[2]:

- description of the political, legislative and institutional measures adopted by the country's government for the purpose of implementation of the recommendations received in the course of the second round of monitoring;

[1] The main international standard is the UN Convention against Corruption, and all member-states of the OECD ACN have undertaken to observe it.

[2] The Work Programme for 2013-2015 of the OECD Anticorruption Network for Eastern Europe and Central Asia http://www.oecd.org/corruption/acn/ACNWorkProgramme2013-2015_EN.pdf

- information on the actions undertakes by the government for the purpose of ensuring implementation of the above-mentioned measures, as well as on the results of such actions;

- information on other material anticorruption measures undertaken by the government, which have not been covered by the recommendations.

Due to a large volume of information which has to be collected for filling in the application form, it is recommended to quickly prepare an action plan, to be defined with the information sources, which can be used, and to allocate responsibilities on collection of data and filling in the application form together with all participants of the process.

In the course of working out answers for the application form it is recommended to engage experts, who have relevant experience and knowledge in the national legislation and law enforcement, international anticorruption standards, as well as preparation of analytical reports.

Shadow report – having a second view

Since the methodology of the third round for the OECD ACN member-states envisages preparation of the monitoring report, representatives of the civil society based on the information included into the monitoring application form prepare an alternative report according to the structure envisaged for reports of the monitoring mission:

1) description of the political, legislative and institutional measures adopted by the country's government for the purpose of implementation of the relevant recommendation;
2) analysis of progress of the country's implementation of the given recommendation, including description of the achievements as well as issues and problems, which have not been solved;
3) evaluation of implementation of the recommendations;
4) proposals related to the new recommendation.

An alternative report should be sent to the OECD ACN Secretariat together with the monitoring application form or three weeks prior to the country visit, so that its results could have been used by the monitoring mission during meetings with the government and in the course of drafting of the monitoring report.

It is advisable to start the report from a resume which summarizes the most important conclusions and recommendations, which are based on the materials of the report itself. In total such resume should not exceed five sheets of A-4 format.

The report should be balanced (should reflect both positive and negative aspects) and prepared in a formal business style with use of neutral wordings. The report must not contain unfounded statements which are not proven with facts or documents, especially those statements which relate to the particular individuals or legal entities. Such statements should be verified by using several sources. When a particular criminal case is mentioned, it is recommended to avoid references to the names of persons participating in the proceedings.

It is also important to keep in mind the timely character of information being used – it is necessary to mention the official status of legal acts and procedural status of the criminal cases as of the moment of preparation of the report.

The report should contain references to the used information sources, ideally with references to web-sites in Russian or English language.

The total volume of the report should not exceed 10-15 sheets of A-4 format. It is advisable to include statistics, charts and presentations into the report if they do not exceed one page. Otherwise, it is better to include the most important information into the report, while the information materials should be enclosed as attachments to the report.

A draft monitoring report prepared by the OECD ACN monitoring group, including on the basis of documents prepared by the civil society, is sent to representatives of the civil society one month prior to the plenary meeting for analysis and comments. Also the civil society may present its alternative report (updated and amended according to possible changes in the country, discussions with the monitoring group during their country visit) for distribution at the OECD ACN plenary session.

Discussion and adoption of the report at plenary meeting

The monitoring report is discussed and approved at ACN plenary meetings, which include bilateral consultations among monitoring team and the delegation of the country, where the monitoring has taken place, as well as two readings in the plenary meetings, where also other ACN countries and other delegates participate.

According to the methodology of the third round of monitoring, representatives of the civil society may participate in bilateral consultations, unless the experts and delegation of the monitored country make a relevant objection. Representatives of the civil society can take part in the plenary meeting, including presenting their opinions and proposing amendments to the draft monitoring report.

The reports are adopted by the ACN plenary during the second reading.

After the plenary meeting – what can be done in the country?

Once the report has been approved at the ACN plenary meeting, it is published on the ACN web-site in English and Russian languages to ensure its widest dissemination possible.

Further, for the purposes of dissemination of the report a one-day return visit to the monitored country is organised. One of the purposes of such visit is a discussion of the assessment and recommendations of the report at a general meeting with representatives of the Government, civil society and international partners.

Representatives of the civil society, who have participated in preparation of the alternative report, have an opportunity to express their opinions regarding the effectiveness of implementation of the recommendations, coordination of efforts of the government and the civil society in this field.

The procedure for conducting of the OECD ACN third round of monitoring also envisages consideration of the progress reports on implementation of the recommendations of the monitoring report. The Government presents a short report on implementation of the respective recommendations at each next ACN plenary meeting. In their turn, representatives of the civil society may present their own alternative progress report. In accordance with the procedural rules of progress reports of the government as well as alternative reports of the civil society on implementation of the recommendations should be presented to the ACN Secretariat two weeks prior to the plenary meeting. Besides, representatives of the civil society may express their opinions at the plenary meeting and take part in discussion of the report. Upon approval of the interim report it is published on the ACN web-site, where the alternative interim reports can also be published.

It should be noted that the alternative reports may be very useful in civil society advocacy campaigns conducted in the country, for example, in promoting the implementation of government's anti-corruption reforms or more generally in promoting the implementation of international standards in the field of fight against corruption.

Progress updates

After the monitoring, at each next plenary meeting the IAP countries present progress updates. Civil society groups are invited to contribute to the discussion of these government's updates or to present their own reports on implementation of recommendations. After the plenary discussion, the updates provided by civil society will be published on the ACN website.

3. CONTENT ISSUES (COLLECTION OF INFORMATION)

Types and Sources of information and Methods of its collection

A comprehensive shadow monitoring report will require collection of information from a variety of sources in order to support the findings. This will likely involve both desk research (to utilize the existing secondary data) and collection of primary data. Combining of qualitative and quantitative research is also advisable in order to make the case stronger.

Shadow reporting involves two key components:

1. Review of the legal framework
2. Review of practice

The former is relatively easy and straightforward as far as the sources of information are concerned: a CSO conducting shadow monitoring can simply examine the relevant laws in order to determine whether or not the government has implemented the legislative reforms required by its commitments under the Istanbul Action Plan.

Review of practice is more challenging as the CSOs involved in shadow reporting will need to gather pieces of relevant information from a multitude of sources. Several types of

sources are likely to prove useful in producing the parts of a shadow monitoring report concerning practice:

Your organization's own previous research

Any organization involved in shadow monitoring is likely to have produced reports on particular issues recently and it is also possible that some of these reports cover the areas included in the Istanbul Action Plan. In these cases, the organization can benefit from its existing knowledge in a given area and include it in the shadow monitoring report.

Reports by other local and international organizations

In most countries, there are usually both local and international organizations specialising on different issues. Reports and studies produced by these organizations can be a valuable source of unbiased and reliable information concerning the implementation of the Istanbul Action Plan commitments by the government.

Officials statistics and other types of quantitative information

Statistical data published by public institutions can be a good indicator of the state of affairs in some areas covered by the Istanbul Action Plan. For example, figures reflecting judicial decisions can sometime point to how independent the judiciary is, while public procurement figures (for example, the ratio of open tenders vs. non-competitive contracting) can be used to assess the integrity and transparency of the procurement process. Unofficial quantitative data collected by CSOs or international organizations can also be helpful.

Interviews

Interviews with individuals who have expert knowledge in specific areas can be a good way of filling information gaps that might exist because of the lack of both independent reports and statistical data on a given subject. It is therefore important to identify the people who both have an in-depth knowledge of the relevant subject areas and are, at the same time, unlikely to be affected by affiliation with the government or a political party.

When information is not available

There are cases when an organization involved in shadow monitoring has no internal knowledge of a subject and no unbiased and reliable external sources are available other. In such cases, when the relevant government body is the only potential source of the information and this information cannot be independently verified, it is preferable to exclude the topic in question from the shadow monitoring report altogether. Including unverified information provided by the government in a shadow monitoring report would contradict the very idea and objectives of shadow monitoring.

In the cases where the government does not disclose the documents and/or data that would make it possible for independent evaluators to determine whether or not particular policies/measures/changes have been implemented, the CSOs conducting shadow monitoring should include an appropriate note in their reports sent to the OECD ACN.

4. PRACTICAL GUIDELINES ON COLLECTION OF INFORMATION

The Istanbul Action Plan questionnaire (on which a shadow monitoring report will probably be based) comprises three pillars:

1. Anti-corruption policy
2. Criminalisation of corruption
3. Prevention of corruption

Additionally, each of the three sections of the questionnaire contains a number of guiding questions that help evaluate the progress made towards each of these goals.

While the specific sources and indicators that a CSO conducting shadow monitoring can use to make assessment in each of these areas will likely differ from country to country, it is still possible to highlight a number of potentially useful sources and indicators. These are provided in the tables below.

Anti-Corruption Policy

Area	Possible Sources
Expressed political will to fight corruption	Annual addresses of the President or Prime Minister; Anti-corruption provisions in party/election programs and coalition agreements; Government programs
Anti-corruption policy documents	National anti-corruption strategy and action plan and reports on their implementation; Open Government Partnership Action Plans and Assessment Reports
Corruption surveys	Website of the anti-corruption agency; anti-corruption strategy and action plan; websites of CSOs working on corruption; websites of local polling organizations. Transparency International - Corruption Perceptions Index; Transparency International - Global Corruption Barometer; Transparency International - Bribe Payers Survey; International Budget Partnership - Open Budget Survey; Bertelsmann Foundation - Bertelsmann Transformation Index; Freedom House, Democracy index; IREX - Media Sustainability Index; Heritage Foundation - Economic Freedom Index
Public participation	CSO reports or comments on the development and implementation of anti-corruption strategy and action

	plan; Minutes of anti-corruption coordination meetings or working group meetings with CSOs; website of the anti-corruption agency; interviews with CSOs working with the anti-corruption agency
Raising awareness and public education	Training programs for public officials, CSOs, media and other important segments of society; leaflets, brochures, posters or other promotional materials; TV and radio programs, online and print newspaper articles, press conferences, seminars and advertisements
Specialized anti-corruption policy and coordination institutions	Legal provisions governing the coordination of anti-corruption policy, including the rules on the creation, composition, budget and activities of coordination institutions; state budget (including the allocations to anti-corruption bodies)
Participation in international anti-corruption conventions	UNCAC; Council of Europe Criminal Law and Civil Law Conventions against Corruption; Group of Countries Against Corruption; OECD Istanbul Action Plan; Eastern Partnership Roadmap; Open Budget Survey; Open Government Partnership

Criminalization of corruption

The issue of criminalization of corruption is described in Section 2 "Setting criminal liability for corruption" of the Questionnaire for the second round of monitoring of the OECD Anticorruption Network for Eastern Europe and Central Asia[3]. In accordance with the methodology of the third round there should be monitored the recommendations outlined in that section, namely compliance with the international standards and effectiveness of implementation of the legislation in part of liability for corruption crimes, including those related to:

- types of corruption crimes;
- liability of legal entities;
- grounds for liability for commission of corruption crimes;
- elements of corruption crimes;
- definition of a public official;
- sanctions;
- confiscation of the target of corruption crime and criminally received proceeds;
- immunities and statutes of limitation for imposition of criminal liability;
- international cooperation and mutual legal assistance;
- effectiveness of the procedure for investigation of the corruption cases;
- existence and effectiveness of activities of the specialized anticorruption law enforcement bodies.

[3] http://www.oecd.org/corruption/acn/library/41603693.pdf

Taking into account that the essence of the alternative monitoring is in evaluation of effectiveness of activities of various elements of the anticorruption mechanism, the main issues for monitoring to be performed by institutions of the civil society include the following:

1) whether the national legislation is the effective tool which is used by the system of criminal judicial bodies for prosecution of corruption crimes;

2) whether criminal prosecution bodies apply legislation for detection and investigation of corruption crimes in an effective manner.

Therefore, institutions and organizations of the civil society should fill in the respective part of the questionnaire related to the legislation and supplement it with commentaries regarding practice of its implementation.

With respect to quality of the legislation on liability for corruption crimes it should be noted that such indicators as lack of practice of implementation of certain legal provisions or existence of ambiguous law enforcement practice by the law enforcement or judicial bodies may prove that:

а) a legal provision is formulated in such a way, which does not allow to implement it in practice or results in ambiguous interpretation,

б) criminal judicial bodies do not have legal mechanisms for their implementation.

Therefore, if the report contains examples of inefficient legal provisions / law enforcement with references to the relevant decisions of the law enforcement bodies or courts, this would substantially increase its significance for objective monitoring of the country.

Effectiveness of the system of bodies responsible for detection, investigation and consideration of cases on corruption offences depends on various factors, from which the major ones are political will and ability to counteract corruption (independence, resources, qualified personnel).

Information sources, on the basis of which it is possible to analyze effectiveness of the system of prosecution for corruption crimes, may include:

1) official data, in particular, periodic reports of the authorities on the problem of corruption in the country, implementation of anticorruption strategies or action plans; statistics of the police, prosecutor's offices, judicial bodies, anticorruption institutions;

2) reports of international monitoring mechanisms within the framework of implementation of anticorruption obligations;

3) researches, in particular, those related to experience of engagement in corruption practices, level of trust in the law enforcement bodies, including those which characterize readiness of population to inform about facts of corruption;

4) monitoring of anticorruption investigations: open proceedings, which are suspended, last for unreasonably long time, closed, finished due to a judicial decision; analysis of judicial decisions in part of disproportionate or non-discouraging sanctions or

exemption from liability, confiscation of the target of corruption crime or criminally received proceeds;

5) monitoring of mass media and Internet publications on the results of official investigations on the basis of claims to mass media, journalistic investigations and public statements.

Official documents of the authorities on the status of corruption in the country is an important source of information, which can contain not only factual data (for example, statistics of criminal investigations) but also the state evaluation of the problem and the authorities' vision in relation to its solution.

As a positive example it is worth mentioning annual reports of the special authorized agency of Ukraine on anticorruption policy with respect to anticorruption measures[4].

Box 1 - Reports of the special authorized agency of Ukraine on anticorruption policy

In accordance with Article 19 of the Law of Ukraine "On the Fundamentals of Prevention of and Fight against Corruption" a special authorized agency on anticorruption policy (currently, in accordance with the Decree of the President of Ukraine, this agency is the Ministry of Justice of Ukraine) prepares and publishes annual reports on the results of implementation of anticorruption measures.

Such report is prepared on the basis of information received from the ministries, other central and local executive power bodies, special authorized anticorruption agencies.

The report contains the following information:

1) statistics on the results of activities of the special authorized anticorruption agencies, results of anticorruption activities (statistics of detection, investigation and consideration of corruption offences);
2) consolidated results of the anticorruption expertise of draft legal acts;
3) information on the results of implementation of anticorruption measures by the state power bodies, including within the framework of international cooperation;
4) the results of sociological researches, which are performed by the state and non-governmental scientific and research institutions, on issues of spread of corruption;
5) information on implementation of the Anticorruption Strategy of Ukraine.

The report is published on the web-site of the Ministry of Justice of Ukraine and also in the official printing media of the Cabinet of Ministers of Ukraine "Governmental Courier".

Official statistics do not represent an indicator which would precisely show the spread of corruption, since quite often they reflect the ratio of the number of detected facts of corruption offences and taken procedural decisions, but they do not answer the question on the extent of actual prevalence of corruption. It should be noted that corruption offences are

[4] http://www.minjust.gov.ua/21885

highly latent offences since the subjects of such behavior may enjoy the corruption model due to the fear of being held liable or due to the low level of trust in the criminal judicial bodies. At the same time, availability of the detailed information on the committed crimes, categories of the engaged subjects may allow to conclude on the spheres which are mostly subject to corruption.

An important indicator of effectiveness of the system of criminal judicial bodies is the number of cases related to corruption offences:

a) involving politicians, high-rank officials, representatives of major businesses;

b) committed by organized groups (with several accomplices, each having a particular role), including repeated offences or committed during certain period of time;

c) which caused substantial damage to the public interests or aimed at receipt of a major illegal benefit.

Therefore, it is necessary to pay attention to analysis of practice of the criminal judicial bodies in part of existence or absence of such cases. Also the report should contain examples of such cases of corruption crimes, which may be viewed as successfully completed, as well as opposite examples of cases, which may be viewed important, however, their investigation has not resulted in judgments of conviction due to inefficient system of criminal judicial bodies or legislative problems. Also it is necessary to specify which particular reasons have caused this.

Reports of international monitoring mechanisms within the framework of the international anticorruption conventions contain evaluation of the extent of implementation of the international anticorruption standards into the legislation and practice of the respective countries.

The most famous monitoring tools of the international anticorruption standards include:

- Mechanism for the Review of Implementation of the United Nations Convention against Corruption[5];
- Group of States Against Corruption (GRECO), which performs monitoring of the Criminal and Civil Law Conventions on Corruption, Guiding Principles against Corruption approved by the Council of Europe Committee of Ministers on 6 November 1997, as well as other instruments of this international organization[6];
- Working Group on Bribery in International Business Transactions, which performs monitoring of implementation of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions[7];

[5] http://www.unodc.org/unodc/en/treaties/CAC/IRG.html; http://www.unodc.org/documents/treaties/UNCAC/Publications/ReviewMechanism-BasicDocuments/Mechanism_for_the_Review_of_Implementation_-_Basic_Documents_-_R.pdf
[6] http://www.coe.int/t/dghl/monitoring/greco/default_en.asp.
[7] http://www.oecd.org/investment/anti-bribery/anti-briberyconvention/oecdworkinggrouponbriberyininternationalbusinesstransactions.htm.

- OECD Anticorruption Network for Eastern Europe and Central Asia carrying out its activities according to the principles of the Working Group on Bribery in International Business Transactions [8].

The issues of laundering of criminally received proceeds are also within the scope of monitoring of the OECD ACN and are evaluated by several international organizations, including:

- Financial Action Task Force (FATF) is an inter-governmental body which sets worldwide standards in combating money laundering, terrorist financing and financing of proliferation of weapons of mass destruction[9];
- Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)[10];
- The Eurasian group on combating money laundering and financing of terrorism (EAG)[11].

It is also worth noting the reports of other international organizations, which although do not have monitoring functions but collect statistics and other information and also carry out their own researches. For example, one may note the European Commission for the Efficiency of Justice (CEPEJ): its web-site contains researches of systems of judicial bodies (courts, other judicial bodies, prosecutor's offices, the Bar) of the EC member-states with detailed description of both the systems and problems of their functioning and respective statistics[12].

Researches, in particular, demonstrating trends in engagement in corrupt practices, level of trust in the law enforcement bodies, including those which characterize readiness of population to inform about facts of corruption.

Researches relating to personal experiences of corrupt practices may give more full information with respect to what extent the number of initiated corruption cases correspond to the actual frequency of the corruption offences, categories of persons engaged in their commission, as well as the areas mostly exposed to corruption.

The results of researches that corruption is more wide-spread in other spheres rather than those outlined in the official statistics can evidence that the efforts of the criminal judicial bodies are not sufficient.

International standards provide that the fullest picture of the corrupted sphere can be obtained in the course of interviews of households, public servants, representatives of businesses[13].

[8] http://www.oecd.org/corruption/acn/.
[9] www.fatf-gafi.org.
[10] http://www.coe.int/t/dghl/monitoring/moneyval/
[11] http://www.eurasiangroup.org/
[12] http://www.coe.int/T/dghl/cooperation/cepej/default_en.asp.
[13] http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2010-December-13-15/V1056919r.pdf.

One of the most problematic issues related to fight against corruption in the private sector relates to detection of crimes triggering liability of legal entities. Therefore, research of the corruption experience of entrepreneurs is one of the most important sources for evaluation of effectiveness of reaction of the state bodies to corruption in business environment.

As already noted above, it is hard to detect corruption crimes. Therefore, one of the indicators of the efficient system of criminal prosecution relates to existence of mechanisms of provision of information on corruption offences as well as the level of trust in the criminal judicial bodies. Researches of the level of trust in the law enforcement and judicial bodies, attitude of the population to voluntary provision of information may also be one of the most important indicators of the efficient functioning of the system of prosecution for corruption offences. The report should include the results of such researches.

Monitoring of cases on corruption crimes is an important tool which allows identifying various factors affecting evaluation of effectiveness of the criminal prosecution of corruption.

For example, such factors include:

- existence and number of cases which resulted in judgments of conviction and implementation of discouraging sanctions as well as efficient measures of search and confiscation of the target of crime and criminally received proceeds;
- ratio (or existence) of cases on corruption crimes which cause major social danger and cases which do not have public threat; existence of cases on "big corruption", which are investigated / considered during unreasonably long period of time or with respect to which the law enforcement bodies do not take proper measures aimed at their detection and investigation;
- problems of insufficient cooperation or coordination of efforts of the investigation and prosecutor's bodies, inefficient interdepartmental interaction or redundant powers of various authorities being responsible for detection and investigation of corruption crimes;
- absence of the relevant experience and knowledge of representatives of the investigation and prosecutor's bodies for investigation of complex corruption crimes, human or material resources which are necessary for effective work.

Information on judicial decisions is available at the specialized web-sites, for example, in Ukraine - http://www.reyestr.court.gov.ua/, and in Kazakhstan - http://eaias.supcourt.kz/EGOV/QB.NSF/QForm?OpenForm&Lang=ru.

Monitoring of mass media and Internet – it also should be noted how the criminal justice bodies react to public announcements on committed crimes, publications in mass media or journalistic investigations. In the majority of cases the results of journalistic investigations contain information on the detected illegal facts, reasons and factors facilitating their commission, therefore they can serve as a useful base for further investigations by the law enforcement bodies. It is further strengthened since the respective facts become public which requires the investigation bodies to react under public pressure. Therefore, improper reaction of the law enforcement bodies to the public messages about committed crimes may prove absence of the political will to investigate corruption crimes committed by certain persons, dependence of the investigation or prosecutor's bodies from the power or political

forces, corrupted system of the law enforcement bodies. In such situation insufficient public control over activities of the bodies authorized to detect and investigate corruption crimes serves as an accompanying factor.

In order to prove our evaluation it is important to refer to several examples, which characterize actions of the law enforcement bodies both positively and negatively in part of evaluation of the said facts and their examination as well as investigation results.

Effectiveness of the court system

Independent and effective judicial system is the key factor determining the opportunities for successful measures aimed at reduction of the corruption level. Therefore, during the country monitoring one of the most priority issues is the issue of effectiveness of such system's functioning and its affection with corruption.

The judicial system is one of the most closed ones, therefore it is difficult to collect necessary information.

One of the most relevant sources of information on the judicial system is the research of levels and types of corruption as well as abilities of the system to perform anticorruption functions. However, since such highly tailored researches are performed very rarely, it is possible to use other types of researches of the effectiveness of functioning of the judicial system or the level of implementation of judicial reforms. Despite of the rather broad scope of issues in such researches, quite often then relate to analysis of the level of transparency, integrity, accountability within the system and can supply necessary information. Also issues of the judicial system can be one of the modules of researches of households, however, in general, they reflect corruption perception in the system and the level of trust without disclosing the reasons of corruption behavior, its types and consequences.

Therefore, the more reliable source of information is the researches based on interview of experts, representatives of the judicial system, analysis of court cases, judicial statistics and statistics of the authorities responsible for disciplinary investigations.

As a positive example it is worth noting a research of corruption risks in the judicial system performed in 2009 by the Institute of Applied Humanitarian Researches for the Ministry of Justice of Ukraine[14].

Box 2 - Research of corruption risks in the judicial system of Ukraine

The research was devoted to corruption risks in four basic judicial processes and activities of the agency of preliminary investigation and prejudicial inquiry: criminal proceedings, civil, business and administrative procedures.

The methodology of research combined legal and sociological analysis. The legal analysis covered doctrinal research of theoretical and practical problems in the respective spheres, analysis of statistics of the law enforcement bodies and judicial statistics, analysis of court

[14] http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/projects/upac/system%20studies/344-UPAC_Corruption%20risks%20in%20criminal%20process_en.pdf

rulings and consolidation of court practices, analysis of informational messages of the judicial and law enforcement bodies as well as mass media messages. The sociological part of the research included interview of the focus groups of experts (advocates, in-house lawyers, law enforcement officers, scientists) as well as "face-to-face" interviews of the population.

Based on these results there were held 7 focus groups (advocates, practicing lawyers, judges, law enforcement officers, citizens with experience in court cases, entrepreneurs and scientists) and 52 comprehensive interviews regarding various types of proceedings (criminal, administrative, civil, entrepreneurial).

The research also included analysis of the particular cases (case study).

The research resulted in the objective, thorough and comprehensive evaluation of the judicial system in part of the corruption forms being peculiar for the system, their triggering factors, "participants of corruption alliances", abilities of the system to counteract corruption. The recommendations from the research were taken into account in the course of the judicial reform in Ukraine in 2010.

Special attention should be paid to the issues of independence of the prosecutors and judges as well as the measures for protection of their families. Guarantees of independence of the prosecutors and judges to a major extent help to align the factor of absence of the political will to fight with corruption.

Therefore, it is important to reflect in the report the known facts about the possible influence on the prosecutors or judges in connection with investigation or consideration of cases (suspension from case administration, disciplinary sanctions, dismissal, threats, etc.).

Prevention of Corruption

Area	Possible sources and indicators
Corruption prevention body	Legislation on corruption prevention body; website of the corruption prevention body; annual reports and budget of the corruption prevention body.
Integrity of public service	Civil/public service law; centralised recruitment website; asset declarations of public officials; code of ethics for public servants; website of the public service management body; law of whistle-blower protection; Civil service recruitment statistics: Percentage of civil servants hired through open competition.
Promoting transparency and reducing discretion in public administration	Parliamentary rules of procedure; code of administrative procedure; law on government or government's rules of procedure; anti-corruption action plan; Review of asset declarations of MPs and ministers and their cross-check against data from company registry to detect possible omissions.

Public financial control and audit	Law on supreme audit institution; secondary legislation on external audit; website of the supreme audit institution; law on public financial management and control; law on internal audit and relevant secondary legislation; legal provisions on inspection; Number and thoroughness of audits conducted in key/influential government agencies (such as the president's administration and the ministries of interior and defence).[15]
Public procurement	Law on public procurement and relevant secondary legislation; centralised procurement website; Procurement statistics (number of competitive tenders vs. direct procurement).
Access to information	Freedom of information law(s) Response rates to public information requests; Review of websites of government ministries;[16]
Political corruption	Law of political parties; electoral law; law on lobbyism; law on conflict of interest in public service; Campaign finance reports and annual finance reports of political parties; Comparison of procurement data with campaign finance reports (to identify possible cases where recipients of government contracts made donations to the ruling party); Corruption surveys (such as Transparency International's Global Corruption Barometer).
Judiciary	Constitution; law(s) on judiciary; court websites; Judicial statistics: convictions vs. acquittals; percentage of prosecutors' motions granted by judges vs. percentage of defence motions granted by judges;[17] Rulings of judges in politically sensitive cases (including electoral disputes);[18] Reports on local CSOs monitoring the judiciary, as well as international organizations (Freedom House's *Nations in Transit*, American Bar Association's *Judicial Reform Index*).

[15] This can be a good indicator of whether the supreme audit institution is independent and confident enough to confront the most influential bodies in the government.
[16] To determine whether government agencies are proactively making public information available.
[17] These usually indicate the extent to which the judiciary is independent from or influence by the prosecutor's office.
[18] The handling of politically sensitive cases by the judiciary can be one indicator of its independence from the political leadership.

Private sector	Law(s) on entrepreneurship; websites of large companies; interviews with business associations; whistle-blower protection law; Number of companies that have signed up to the UN Global Compact; Reports/surveys by World Bank/International Finance Corporation, World Economic Forum, Heritage Foundation's Index of Economic Freedom, Bertelsmann Foundation's Bertelsmann Transformation Index

5. CHALLENGES AND POSSIBLE SOLUTIONS

Lack of official information

In order to be able to objectively assess the government's performance in the fight against corruption it is essential that there is easily accessible, comprehensive, timely and up-to-date data from a wide range of official sources. Usually, the government's obligation to disclose public information is enshrined in the domestic legislation and interested organizations and citizens can refer to the relevant law while requesting such information. In case there is no such legislation, it is essential that civil society mobilizes, raises the profile of this issue, and initiates legal amendments so that people's right to information is adhered to by the government. A regular sending of Freedom of Information (FOI) requests to the government on the topics of interest, keeping the FOI statistics and creating the FOI monitoring and supervision agency are all important steps to improve the transparency of public decision-making.

Risk of reprisal and persecution

In some authoritarian systems, there is a high likelihood that people who are outspoken and critical of the government will be persecuted and threatened by law enforcement agencies to discourage them from further engagement in policy-making processes. Such acts of intimidation need to be immediately communicated to relevant domestic and international organizations that might be in a better position to influence the government's decision to deter such practices from occurring in the future and to ensure that citizens' rights to freedom of expression and public information are not infringed upon.

As far as shadow monitoring is concerned, the names of the persons or organisations that have been providing inputs into the monitoring process can be kept fully confidential. Information that they provide will be referred to in the report in general terms, i.e., "according to the views of the civil society representatives of the country…", and no direct quotation will be made to any specific statements if necessary. The meetings with non-governmental representatives are organised separately by the Secretariat without involvement of the government and the lists of participants are not shared with authorities.

Regarding practical measures that can be undertaken by CSOs in the country, on of the strategies to cope with such a situation could be creation of coalitions to speak with one voice. Or even, perhaps, try and create an anonymous group/s of the CSOs under the umbrella of the IOs, such as OSCE offices, UNDP offices, etc..

Lack of quality and reliable research data

In some countries, due to legal restrictions for the operation of international organizations or domestic civil society groups that are independent from the government, people might find it difficult to look for objective and high quality data on the implementation of anti-corruption reforms. One way to tackle this problem is to have a pool of independent local researchers who, with their names concealed and based on a commonly accepted methodology, can submit their analytical reports to OECD or any other international networks working on good governance issues. After undergoing a comprehensive review process with relevant experts, these reports can be presented at local and regional levels with active involvement of the media so that other groups take more interest and become more proactive in the field.

Lack of organizational resources

It can often be the case that organizations have insufficient expertise and resources which prevents them from engaging regularly and constructively with the government and conducting effective monitoring of their anti-corruption activities. To address this, interested but less able organizations can rely on best international practices and, by combining efforts with their peers, apply the method of engagement and monitoring in policy-making that is most suitable to their local context. In order to produce better results, these organizations can divide tasks among each other by focusing on those specific areas that are particularly relevant to their activities.

Cooperation between government and CSOs

Some governments might be hard to work with since they are secretive about their activities and are prone to ignore the calls for cooperation from civil society organizations. If this is the case, it would make more sense for CSOs to build the coalition among like-minded partners in different areas and to try to influence the government's position with joint calls or statements showing in concrete ways the downside effects of non-transparent and unaccountable decisions on the population. To become more influential, the CSOs might think of working more closely with grassroots leaders, creating a membership base and representing the interests of specific segments of society, be it in the fields of education, healthcare, agriculture or environment. This would make these CSOs more self-sustainable in the long run but also raise the level of their legitimacy while calling on the government for collaboration.

6. FURTHER READING (RESOURCE GUIDE)

Web-site of the Anticorruption Network of the Organization for Economic Co-operation and Development: http://www.oecd.org/corruption/acn/

OECD Anti-Corruption Network for Eastern Europe and Central Asia (ACN) Istanbul Anti-Corruption Action Plan, Second Round of Monitoring, Procedure and Questionnaire, http://www.oecd.org/corruption/acn/library/41603641.pdf

OECD, *The Istanbul Anti-Corruption Action Plan, Progress and Challenges,* http://www.oecd.org/corruption/acn/42740427.pdf

«Fighting Corruption: What Role for Civil Society? The Experience of the OECD»: http://www.oecd.org/daf/anti-bribery/anti-briberyconvention/19567549.pdf

Web-site of the United Nations Office on Drugs and Crime: http://www.unodc.org/unodc/index.html

TRACK Portal of the United Nations Office on Drugs and Crime (collection of materials on corruption): http://www.track.unodc.org/Pages/home.aspx

Materials on the UN Convention against Corruption: http://www.unodc.org/unodc/en/treaties/CAC/index.html

Publications and methodological materials on combatting corruption: http://www.unodc.org/unodc/en/corruption/publications.html

Reference document prepared by the Secretariat of the Confederation of the State-Members of the UN Convention Against Corruption "Methodologies, including evidence-based approaches, for assessing areas of special vulnerability to corruption in the public and private sectors", Vienna, 13-15 December 2010: http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2010-December-13-15/V1056919r.pdf

«Methodology for Assessing the Capacities of Anti-Corruption Agencies to Perform Preventive Functions», UNDP Bratislava Regional Centre, December 2009: http://europeandcis.undp.org/uploads/public1/files/Methodology for Assessing the Capacities of Anti Corruption Agencies to Perform Preventive Functions.pdf

«Practitioners' Guide to Capacity Assessment of Anti-Corruption Agencies», UNDP, 2011: http://www.undp.org/content/dam/undp/library/Democratic%20Governance/IP/Practicioners guide-Capacity%20Assessment%20of%20ACAs.pdf

Web-site of the Group of States Against Corruption (GRECO): http://www.coe.int/t/dghl/monitoring/greco/default_en.asp/

Web-site of the European Commission for the Efficiency of Justice (CEPEJ): http://www.coe.int/T/dghl/cooperation/cepej/default_en.asp

The evaluation report on the judicial systems of the European countries for 2012: http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2012/Rapport_en.pdf

Web-site of the global network of civil society organizations to promoting the UN Convention Against Corruption: http://www.uncaccoalition.org/

Web-site on the mechanism of monitoring of the Convention: http://www.uncaccoalition.org/uncac-review/uncac-review-mechanism

Web-site with the information materials for the civil society organizations in part of preparation of the alternative reports on the UN Convention Against Corruption: http://www.uncaccoalition.org/learn-more/resources/viewcategory/4-uncac-review-tools-for-civil-society

Web-site with the monitoring reports for the civil society organizations in relation to the UN Convention Against Corruption: http://www.uncaccoalition.org/uncac-review/cso-review-reports.

Transparency International:

- corruption research tools database: http://gateway.transparency.org/tools;
- methodological materials on corruption research in various sectors: http://gateway.transparency.org/guides.

«How to monitor and evaluate anti-corruption agencies: Guidelines for agencies, donors, and evaluators», Jesper Johnsøn, Hannes Hechler, Luís De Sousa, Harald Mathisen (team leader), U4 Anticorruption resource center, U4 Issue, September 2011, No 8: http://www.cmi.no/publications/file/4171-how-to-monitor-and-evaluate-anti-corruption.pdf.

Anticorruption Assessment Handbook. Final Report. USAID, February 28, 2009: http://pdf.usaid.gov/pdf_docs/pnadp270.pdf.

Jesper Johnsøn, Hannes Hechler, Luís De Sousa and Harald Mathisen, *How to monitor and evaluate anti-corruption agencies: Guidelines for agencies, donors, and evaluators*, http://www.u4.no/publications/how-to-monitor-and-evaluate-anti-corruption-agencies-guidelines-for-agencies-donors-and-evaluators-2/

United Nations General Assembly Resolution 59(1), 14 December 1946, http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/033/10/IMG/NR003310.pdf?OpenElement;

United Nations General Assembly Resolution 217 A (III), 10 December 1948, http://www.un.org/cyberschoolbus/humanrights/resources/universal.asp;

General Comment No. 34 on Article 19 (Freedom of opinion and expression), July 2011, http://www.article19.org/resources.php/resource/2420/en/general-comment-no.34:-article-19:-freedoms-of-opinion-and-expression;

United Nations Convention against Corruption, General Assembly Resolution 58/4 of 31 October 2003, http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf;

UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, adopted at Aarhus, Denmark, on 25 June 1998, http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf;

Report of the Special Rapporteur on the right to seek and receive information, the media in countries of transition and in elections, the impact of new information technologies, national security, and women and freedom of expression, UN Doc. E/CN.4/1998/40, 28 January 1998, para. 11: http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/7599319f02ece82dc12566080045b296?Opendocument;

Open Government Partnership: http://www.opengovpartnership.org/about;

International Budget Partnership, Open Budget Survey: http://internationalbudget.org/what-we-do/open-budget-survey/;

Transparency International, National Integrity System Assessment: http://www.transparency.org/whatwedo/nis

ORGANISATION FOR ECONOMIC CO-OPERATION

AND DEVELOPMENT

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