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Second Draft Progress Report

of the IPA Project

"Support to implementing anti-corruption strategies in Bosnia and Herzegovina"
for the period May 15th 2019 – August 14th 2019

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Abbreviations:

AC	Anticorruption
ACS	Anticorruption Strategy
AP	Action Plan
ACB	Anticorruption bodies (at the level of entities, BD BiH and cantons)
APIK	Agency for prevention of corruption and coordination of the fight against corruption
BD BiH	Brčko District BiH
BiH	Bosnia and Herzegovina
EU	European Union
EUD	Delegation of the European Union to Bosnia and Herzegovina
FBiH	Federation of BiH
NKE	Non-key experts
IE	Incidental expenditures
IP	Inception Phase
IPAK	Institucionalna podrška antikorupciji (Institutional Support to Anti-Corruption)
IR	Inception Report
IPA	EU Instrument for Pre-Accession Assistance
JNKE	Junior non-key expert
NGO	Non-Governmental Organization
PT	Project Team
PSC	Project Steering Committee
RS	Republika Srpska
SNKE	Senior non-key expert
TL	Team Leader
ToR	Terms of Reference
TO	Technical Offer





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Summary of the Project

This is the Second Progress Report for the period May 15th – August 14th 2019 of the two-year IPAK Project "Support to the Implementation of Anti-Corruption Strategies in Bosnia and Herzegovina" (BiH) which is funded by the European Union from the Instrument for Pre-Accession Assistance (IPA). Value of the Project is 658.250 EUR and it is implemented by Consortium led by European Consulting Group LLC (RS), consisting of Bureau for Institutional Reform and Democracy – BiRD GmbH (DE), INCOM Business Consultants Ltd. (GR), Ecorys Netherland B.V. (NL), DCS d.o.o. (BA).

The Project provides assistance to anticorruption bodies and institutions at all levels of government in BiH to raise the fight against corruption in the country at a higher and more engaged level.

According to the Terms of References (ToR) of the Project, which is attached to this IR as Annex 1, main beneficiaries of the Project are 14 anticorruption bodies at all levels in BiH, State Investigation and Protection Agency (SIPA), Public Administration Reform Coordinators Office of BiH, Audit office of the institutions of BiH, Commission of the BiH Parliamentary Assembly for monitoring of work of APIK, Commission on Conflict of Interest of the BiH Parliamentary Assembly, as well civil society organisations active in preventing and fighting corruption, media and media organisation active in investigating and informing the public about corruption cases and companies and business associations at the level of entities, Brčko district and cantonal level.

Through the three components, the project provides assistance at all levels of government to:

- Improve implementation of their anti-corruption strategies (ACS) and action plans (AP)
- Improve monitoring of implementation of anti-corruption strategies and action plans
- More efficiently curb corruption in institutions that are particularly prone to corruption
- Improve existing anti-corruption strategies and accompanying action plans
- Improve and harmonize anti-corruption legislation in the country
- Give recommendations for preparation of BiH ACS and AP plan for the period 2020-2024
- Increase the level of transparency and ethics in the work and conduct of public institutions
- Improve the system for receiving and acting upon the citizens' reports for corruption
- Harmonize the activities of non-governmental organizations in the fight against corruption
- Improve the preparation and implementation of integrity plans in public institutions





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- Improve the system for implementation of integrity plans and prevention of conflicts of interest
- More actively involve the private sector and business associations in the fight against corruption
- Encourage and enhance communication of anti-corruption institutions with media and public
- Increase citizens' understanding impact of corruption and readiness for reporting of corruption
- Establishment traditional, annual award for "Contribution to the fight against corruption".

Project background

BiH has a status of potential candidate for EU membership with serious set of obligations for reforms required to advance in the EU accession process, where design and implementation of anticorruption policies is an important criterion. The reasons for insufficient results in prevention and fight against corruption in the country are various and include obstacles imposed from the complex administrative structure of the country, lack of political will of political elites, as well as insufficient pressure from general public, civil society, media and business sector for positive changes.

The fragmented and complex governance system, split between different administrative units - 143 municipalities, two entities, one separate district, and, in the case of Federation of BiH - ten cantons, as well as federal state structures influences negatively coordinated prevention and fight against corruption and produces evident lack of responsibility, transparency and accountability at all levels of government.

But, despite all obstacles, one can say that BiH has all prerequisites for serious and more tangible anticorruption results, since the legislation is in place, APIK is staffed and budgeted up to the level to deliver concrete work, majority of the citizens demands improvement of rule of law and the CSOs are willing to contribute in that process. The only remaining component is creation of serious political will and its transfer to the institutions mandated to prevent and combat corruption, for the start of needed improvement of the rule of law in the country.

Countries in the Western Balkans have more or less similar, relatively high corruption levels compared with the rest of the European countries, due to the systemic nature and institutionalization of corruption creating systemic corruption that remains one of the main obstacles to the reforms in the process of EU integration. Corruption undermines the





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legitimacy and reputation of government institutions, negatively influencing the trust of the public in the institutions and represents a constant threat to the rule of law and causes political instability.

Tolerance to corruption creates a perception among the citizens that it is profitable and if there is no punishment for corruptive behaviour – it pays back and it is worth risking for the gains that it produces, and undermining the democratic values. It also has negative impact on human rights, principles of free market economy, standard of living of citizens and their basic freedoms.

Current anticorruption situation in BiH

Current anticorruption situation in BiH can't be detached from the overall political situation in the country with some of the administrative levels without established government (including the Council of Ministers at BiH level), which influences decisive political will for fight against corruption. On the other side, there is increasing and determined encouragements from international community as well as increasing public demand and pressure for advanced and more tangible results in the prevention and the fight against corruption.

This situation will highly influence the process of preparation of the BiH ACS and AP 2020-2024, which will be of a crucial importance for the preparation of new ACSs and APs on other levels (except RS, where they are recently adopted) and the overall prevention and fight against corruption in the whole country in the next four years.

In addition to the complex political situation that influences political will needed as a signal and fostering to the ACBs to engage in more tangible activities against corruption, the situation with the system for prevention and fight against corruption in the country is far from needed for such demanding engagement.

ACBs were established at all levels of government and most of them are functional except in the Canton 10 (due to the expired mandate) and to certain extent in BD BiH where professionalized body is expected to replace existing *commission type* of body.

Except APIK, Office for the fight against of corruption and management of quality of Canton of Sarajevo and, to certain extend Anti-Corruption Team of Zenica-Doboj Canton all other ACBs are not professional units or bodies, but “commission type” of bodies. That format of ACBs significantly negative influences their work and results because members of the bodies performs the work in the ACBs is additional obligation to the regular job and the enthusiasm and varies from body to body and from person to person. In most of the cases competencies





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of the ACBs are weakly defined in the acts for their establishment, mostly consisting of monitoring of implementation of ACSs and APs, while the procedures for work of the ACBs are rare and if there are documents in that scope, they are quite general and regulates the way of conducting the meetings.

Average frequency of the meetings of the ACBs is rare, with poor administrative support (usually one part-time person from the institution of the head of the body), functioning within the office of the head of the ACB. Most of the ACBs do not have budget for their functioning, relying on the resources either of the government at that level or institution of the head of the body, so efficiency and commitment for work of the ACBs mostly depends on the enthusiasm of the head of the body.

All levels of government have its own ACS and /or APs (in the cases when there is no ACS in place there is AP for that level of government (most of them linked to the BiH ACS and AP). ACBs have significant difference in the capacities, structure, competencies, support from their governments and parliaments as well as, to certain extend - commitment to work on prevention and fight against corruption.

Planned activities for the reporting period

Based on activities stipulated in the ToR and TO, as well as on the inputs from the stakeholders during the Inception Phase (IP), the Project Team (PT) defined a detailed timetable of activities for the whole duration of the Project as well as the indicative timing of the events to be organized within the Project. In the implementation of planned activities in the reporting period, the PT was working according to the proposed timetable, committing most of time and resources on following activities:

- Conduct assessment of state of implementation of ACSs/APs and coordination of ACBs at all levels
- Creation of recommendations for timely and punctual implementation of ACSs and APs at all levels and establishment of ACBs
- Creation of recommendations for enhanced chain of interactions and responsibilities among ACBs at all levels
- Preparation of recommendations for objectives and activities under the next BiH ACS 2020-2024
- Country-wide conference on recommendations for amendments of existing ACSs and APs and for objectives and activities under the next BiH ACS 2020-2024
- TNA for improved implementation of ACSs and APs and coordination of ACBs at all levels





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- Assessment of institutional capacities and tools for accurate and efficient monitoring of implementation of ACSs and APs
- Identification of obstacles for accurate and efficient monitoring of implementation of ACSs and APs
- Recommendations for improvement and overcoming obstacles in accurate and efficient monitoring of implementation of ACSs and APs
- TNA for trainings for improvement of accurate and efficient monitoring of implementation of ACSs and APs
- Training curriculums for trainings on implementation of ACSs and APs and monitoring of implementation of ACSs and APs
- Plans for preparation of trainings on implementation of ACSs and APs and monitoring of implementation of ACSs and APs
- Preparation of a model AC communication strategy for the ACBs and relevant institutions
- Shortcomings in communication capacities of ACBs and institutions and Recommendations for improvement in that scope
- TNA for communication on integrity, anticorruption, awareness raising and interaction with the media
- Training curriculums and materials on integrity, anticorruption, awareness raising and interaction with the media
- Design of criteria and procedures for “Good Practice Award” for promotion of best AC practices.

Beside these planned activities, the PT invested a time and efforts on fine-tuning and increasing the number of activities of the Project, in order to meet the needs of the beneficiaries of the Project, which was done in close cooperation with the EUD and APIK. Namely, merging of some activities and trainings as described in the Inception Report (IR), has left a room and resources for improved implementation of existing or introducing of additional activities, such as support to the process of preparation and promotion of the BiH ACS and AP 2020 – 2024.

That resulted with the possibility for the PT to commit **extra efforts for two additional activities which are not envisaged in the ToR:**

- Additional support of the preparation of the BiH ACS and AP 2020-2024 with advising of APIK on:





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- Methodological approach for preparation of BiH ACS and AP 2020-2024
- Organisation of work of the Working group for the BiH ACS and AP 2020-2024
- Detailed preparation of recommendations for BiH ACS 2020-2025.
- Organisation of Conference “Empowerment of Anti-corruption in Bosnia and Herzegovina (BiH): What Anti-corruption bodies need to effectively counter corruption!” organised June 13th in Sarajevo. At the Conference Standards for anticorruption bodies at all levels in BiH were discussed and supported by the high level officials from governments and anticorruption bodies from all levels in BiH.

Most of the activities were implemented fully, while some of them are pending because of the following basic reasons:

- Almost two out of three months of the reporting period were in the season of summer holiday and it was not feasible to organise training, workshops or round tables because it is not possible to get all of the participants during the holidays
- Significant amount of time and efforts were invested in additional activities such as organisation of the highest level Conference on June 13th 2019 and preparation of the Standards for anticorruption bodies
- Significant amount of time and efforts were invested in agreeing and defining of Recommendations for preparation of the BiH ACS and AP 2020-2024 and coordination of the support in this process among the APIK, OSCE, EUD and Project.

Despite all mentioned before, all activities were implemented as planned, while for some of them only organisation of trainings, workshops or round tables remain, which were not organised due to previously explained reasons.

Completed activities in the reporting period

As envisage in the IR and First Progress report for the period February 15th – May 14th 2019, the work of the PT in this reporting period was dedicated to parallel work on activities 1.1, 1.3, 1.4, 1.5, 3.1, 3.2 and 3.3, while the Activity 1.6 is implemented almost completely.

In more details, in this reporting period, the PT completed the following activities:

1.1 Improvement of timely and punctual implementation of ACSs and APs at all levels in BiH

The PT identified the reasons for lack of sufficient implementation of the ACSs and APs, capacities of ACBs to initiate, coordinate, monitor and report about the implementation of these strategic AC documents and started preparation of draft Recommendations for improvement in this scope.





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Special attention was paid to the chain of interactions and responsibilities between ACBs at all levels in BiH, between ACBs and AC institutions at respective levels as well as between the ACIs at respective levels, due to the fragmentation of the AC system in the country.

In order to support and improve timely and punctual implementation of ACSs and APs at all levels in BiH, the PT:

- Conducted assessment of the state of implementation of ACSs and APs at all levels
- Identified reasons for shortcomings in implementation of ACSs and APs at all levels respectively
- Started preparation of recommendations for overcoming of shortcomings in implementation of ACSs and APs
- Identified shortcomings in the coordination of work of ACBs and ACIs at all levels in BiH
- Started preparation of recommendations to overcome shortcomings in coordination of work of ACBs and ACIs
- Started preparation of TNA for timely and punctual implementation and coordination among ACBs and ACIs.
- Identified reasons for insufficient implementation of ACSs and APs at every respective level
- Identified relevant obstacles for implementation of ACSs and APs at every respective level
- Identified reasons for insufficient coordination of work of ACBs and ACIs at all levels.

1.3 Strengthening capacities for accurate monitoring of implementation of ACSs and APs at all levels

The PT identified the reasons for insufficient monitoring of implementation of ACSs and APs at all levels in BiH and lack of close interaction between ACBs and institutions in charge of implementation of the activities from ACSs and APs. In addition, obstacles to efficient monitoring of implementation of ACSs and APs were identified and started proposals to overcome them. Based on that, the PT started preparation of Recommendations for improvement and overcoming obstacles in accurate and efficient monitoring of implementation of ACSs and APs and TNA for trainings for improvement of accurate and efficient monitoring of implementation of ACSs and APs and deliver a training on these issues.

These Recommendations, TNA and training are offering expertise and advises for:

- Improvement of resources for monitoring in ACBs at all levels in BiH
- Enhancing the expertise for monitoring in all ACBs at all levels in BiH





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- Proposing templates or methodology for the preparation of reports on implementation
- Introduce of identification of the obstacles for implementation of ACSs and APs
- Introduce of plans for overcoming of obstacles to implementation of ACSs and APs
- Introduce to in-depth review of reports from ACBs, with substantial analysis of effects
- Introduce more regular interaction between ACBs and institutions that implement ACSs and APs
- Improvement of clarity of the indicators for evaluation of implementation
- Enhancing capacities for understanding of indicators and presenting the results.

1.4 Improvement of existing ACSs and APs and recommendations for next ACS and AP of BiH

Within this activity, beside the obligation to prepare assessment of needs for improving existing ACSs and AP and activities under BiH ACS and AP 2020 – 2024, the PT supported the preparation of the new BiH strategic anticorruption documents with the following activities:

- Detailed analysis of the needs for improvement of existing BiH ACS and AP as a base for preparation of BiH ACS and AP 2020-2024
- Agreeing with APIK and EUD the objectives and activities under the BiH ACS and AP 2020-2024
- Coordination of assistance of EUD, OSCE, TI BiH and IPAK to APIK in preparation of BiH ACS and AP 2020-2024
- Advising APIK on the methodological approach in the preparation of BiH ACS and AP 2020-2024 and organisation of the work of Working group for that purpose
- Preparation of detailed Recommendations for objectives and activities under the next BiH ACS 2020-2024.

These Recommendations were prepared in a way that particularly took in consideration relevant international documents such as Reports of EU on the progress in the EU integration process, recommendations from GRECO and Chapters 23 and 24 of the Acquis and included the following issues:

- Further harmonisation with the international standards
- Introducing more advanced tools for the fight against corruption
- Improvement of clarity and completeness of the provisions or indicators
- Harmonization and increased synergy between BiH ACS and AP and other levels ACS and APs
- Introducing more efficient cooperation and coordination among ACBs, especially with APIK.





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- Improved two-way communication and cooperation between all ACBs
- Overcoming gap between BiH “overarching” ACS and AP and sectorial approach at other levels
- Initiation of harmonisation of the relevant AC legislation at all levels.

These Recommendations were prepared in details, on the basis of five meetings with the leadership of APIK at which the whole content of the Recommendations was discussed and agreed, guarantying preparation of advanced and more engaged BiH ACS and AP 2020-2024. They contain explanation of reasons for inclusion of proposed contents and benefits for the fight against corruption that they will produce as well as anticipation of the challenges for their adoption and ways to overcome them.

In the framework of this Activity, the PT in close cooperation with the EUD and APIK has organised high-level Conference “Empowerment of Anti-corruption in Bosnia and Herzegovina (BiH): What Anti-corruption bodies need to effectively counter corruption!”. At the Conference held on June 13th 2019 in the Parliamentarian Assembly of BiH, which was chaired by the Head of the Delegation of the EU to BiH and EU Special Representative in BiH Ambassador Lars-Gunnar Wigemark, heads of the governments and heads of anticorruption bodies discussed and agreed on the needs of the anticorruption bodies for effective countering corruption. As a product of this Conference, Standards for anticorruption bodies



at all levels in BiH were agreed, while EU Member State embassies, US embassy, OSCE and other international organisations and representatives of civil society participated at the conference as observers the discussion.

Head of the Delegation of the EU to BiH and EU Special Representative in BiH
Ambassador Lars-Gunnar Wigemark moderates the Conference on June 13th 2019





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Heads of anticorruption bodies discussing the Standards for anticorruption bodies at the preparatory session before the Conference June 13th 2019

In this Activity, the PT invested significant efforts in preparation of the Draft Standards for anticorruption bodies by facilitation of intensive communication among the anticorruption bodies in the process of preparation of the Standards and in drafting them.

In addition, the PT has facilitated activities for coordination of the support and assistance of EUD, OSCE and TI BiH to the preparation of the BiH ACS and AP 2020-2024, which resulted with coordination meeting, organised by the Project on July 2nd 2019.

3.2 Enhancing capacities for communication on integrity, anticorruption and awareness raising and interaction with the media

The PT in this activity worked on improving capacities of ACBs and relevant AC institutions for interaction with the media and communication with public on integrity issues, fight against corruption and awareness raising, based on the Model of communication strategy from Activity 3.1. In this activity, the PT prepared the following products:

- Recommendations for communication with media and public for ACBs and institutions
- Recommendations for communication of ACBs with institutions from ACSs/APs
- Possible challenges in the communication of ACBs and institutions with media and public
- Needs for training of ACBs and institutions communication with media and public
- Possible challenges in the communication of ACBs with institutions from ACSs and APs
- Needs for training of ACBs for communication with institutions from ACBs and APs.

These Recommendations and the Model of communication strategy for the anticorruption bodies were discussed at the round table organized May 14th 2019, on the basis of which, the PT prepared the final versions of Recommendations for communication with media and



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Recommendations and the Model of communication strategy for AC bodies discussed at the round table organized May 14th 2019

public for ACBs and institutions and for communication of ACBs with institutions from ACSs and APs and TNA for the trainings in Activity 3.3.



Second Project Steering Committee meeting held on May 14th 2019

Although this Round table was organised May 14th 2019, it could not be included in the First Progress report, because it was held at the day of the Second PSCM, so it is included in this reporting period and Second progress report.

Pending Activities

1.1 Improvement of timely and punctual implementation of ACSs and APs at all levels in BiH

- Started preparation of recommendations to overcome shortcomings in coordination of work of ACBs and ACIs
- Started preparation of TNA for timely and punctual implementation and coordination among ACBs and ACIs.





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The reason for this Activity to be still pending instead of being completed as planned is the decision of the PT to take in consideration the discussion in the Working group regarding this issue and prepare the Recommendations in accordance to agreed activities in this scope for the BiH ACS and AP 2020-2024.

1.3 Strengthening capacities for accurate monitoring of implementation of ACSs and APs at all levels

- started preparation of Recommendations for improvement and overcoming obstacles in accurate and efficient monitoring of implementation of ACSs and APs
- TNA for trainings for improvement of accurate and efficient monitoring of implementation of ACSs and APs

The reason for this Activity to be still pending instead of being completed as planned is the decision of the PT to take in consideration the discussion in the Working group regarding this issue and prepare the Recommendations in accordance to agreed activities in this scope for the BiH ACS and AP 2020-2024.

1.4 Supporting and delivering technical assistance to APIK and Working group for preparation of BiH ACS and AP 2020-2024

- Participation in the Working group and providing technical assistance to APIK in the preparation of the materials for the Working group and its moderation
- Supporting and providing technical assistance to APIK in drafting the draft and final version of BiH ACS and AP 2020-2024.

The reason for this Activity to be still pending is because the planned time span of these activities is longer than the reporting period of this Progress report and they will be pending as long as activities in which the PT provides assistance and technical support are ongoing.

1.5 Delivery of trainings for implementation and monitoring of implementation of ACSs and APs

The PT has prepared the training for the persons from all ACBs who work on implementation and monitoring of implementation on sustainable and timely implementation of ACS and APs as well as accurate and efficient monitoring of their implementation, which deals with:

- Establishment of “focal points” in public institution and services in charge of ACSs and APs
- In advance planning of implementation of measures and activities from the ACBs and APs





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- Timely initiation of activities to be implemented by public institutions and services
- In advance identification of challenges and obstacles in implementation of the activities
- Building a stable cooperation with “focal points” in public institutions and services
- Joint planning of implementation of activities from ACSs and APs with “focal points”.

The reason for this Activity to be still pending is because the training was planned for the beginning of September, which overlapped with the first workshop of the Working group for the preparation of the BiH ACS and AP 2020-2024 was held and it was not possible to organize it because the same individuals (heads of ACBs) were planned to attend.

1.6 Facilitation of coordination and synergy of CSOs activities in the fight against corruption

The only activities remaining from Activity 1.6 are

- Preparation of Final Recommendations for improvement of cooperation, coordination and synergy among CSO and between ACBs and CSOs, which deals with:
 - o Improved exchange of information regarding on-going AC projects of CSOs
 - o Tools for identification of AC activates of CSOs with potential for synergy
 - o Increasing the trust and cooperation among CSOs and between CSOs and ACBs
 - o Tools for increasing the communication and cooperation between ACBs and CSOs
 - o Ways of identification of activities of ACBs complementary with CSOs work.
- Support of implementation of these Recommendations that will be provided on demand to ACBs and CSOs until the end of the Project by on-the-job direct assistance during periodical visits of the PT to the stakeholders and distanced assistance, delivered over phone or e-mail.

The reason for not completing the Recommendations is the fact that APIK requested analysis and improvement of their Recommendations for cooperation with the civil sector and will be able to work with the PT on this issue when the activities about the preparation of BiH ACS and AP 2020-2024 are completed.

3.3 Delivery of trainings for communication on integrity, anticorruption, interaction with the media and awareness raising

On the basis of activities 3.1 and 3.2, the PT has prepared the materials for the training of ACBs and relevant AC institutions for communication on integrity, anticorruption, interaction with the media and awareness raising. The training deals with the following issues:

- Identification of anticorruption issues of interest of media and public
- Establishment of trustful and ethics based, productive relations with the media





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- Improving internal fluctuation of information as a base for communication work
- Preparation of press releases, statements, press conferences and public appearances
- Use of web site and social networks as a tool for communication with media and public.
- Identification of sensitization issues suitable for anticorruption awareness raising
- Identification of information that could be helpful in the awareness raising
- Planning and implementation of efficient awareness raising activities
- Preparation of information to be released, statements and slogans to be made
- Efficient combination of information in order to raise public awareness.

The reason why this activity is pending is because the preparation for the training is done in this period and the training is organised in the next reporting period and the training will be delivered on September 11th and 12th 2019.

Planned activities for the next reporting period

In the next reporting period, the PT will work on the following Activities and Tasks of the Project:

Activity 1.2 Improvement of the fight against corruption in institutions particularly prone to corruption

- Task 1.2.1 Identification of public services particularly prone to corruption and their prevention measures

The PT, in cooperation with persons from ACBs at all levels in BiH in charge of prevention of corruption, will analyse all relevant reports, analysis, public opinion researches in this scope and, especially, findings and recommendations of international institutions and organisations (EU, GRECO, TI etc.). On the basis of that analysis the Project Team will create comprehensive list of institutions at all levels of government in BiH particularly prone to corruption, based on the international and regional experience of vulnerability to corruption. In that process, consultations with relevant experts from the ACBs, ACIs, academia, CSOs and journalists will be held in order to prepare comprehensive list of public services and to identify the ways and possibilities for prevention of corruption in these services.

After the preparation of the list of public services particularly prone to corruption, the Project Team will identify the preventive measures from the ACSs and APs at all level of government and preventive measures already in place in the public services identified as particularly prone to corruption. For that purpose, all ACSs and APs at all levels will be reviewed, extracting all measures that are oriented towards prevention of corruption in the identified public services particularly prone to corruption. All preventive mechanisms (integrity plans, plans for the fight against corruption, codes of ethics, codes of conduct etc.) already in place in these identified public services particularly prone to corruption will be identified, collected and analysed.





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- Task 1.2.2 Reviewing of completeness and quality of prevention measures regarding this public services

Preventive measures identified in the Task 1.2.1 will be analysed both regarding their completeness and quality against the relevant international standards, anti-corruption documents and, particularly regarding the recommendations from EU and GRECO.

The PT will prepare a set of documents, measures and standards that ought to be in place for the public services particularly prone to corruption based on international documents (Conventions of UN, EU, OECD, CoE) and best practices in the transitional countries. That set will be used as a tool and check list in reviewing of completeness and quality of the prevention measures in public services in BiH particularly prone to corruption and a base for preparation of a questionnaire for that review.

Preparation of this set, check list and questionnaire as well as the conduct of the review will be done in cooperation and with the assistance of the ACBs and ACIs from all level of government in the country, in order to provide them with skills for future work in this scope.

- Task 1.2.3 Reviewing of implementation status of prevention measures regarding this public services

Based on the comprehensive lists from Task 1.2.1 and 1.2.2 the PT will assist ACBs from all level to review the implementation status of preventive measures as a part of implementation of ACSs and APs. In this review, in addition to the quantity and quality of implemented prevention measures, equal attention will be paid to the institutional capacities in the ACBs, ACIs and public services to implement prevention measures as a prerequisite for success in this scope, using assessment done in Task 1.1.2 and findings from implementation of the check list from Task 1.2.3.

In order to do so, the PT will support ACBs at all levels in the analysis of all last reports regarding the implementation of preventive measures from the public services particularly prone to corruption sent to ACBs at respective level regarding the quantity of implemented measures.

Activity 1.5 Delivery of trainings for implementation of ACSs and APs and monitoring of implementation of ACSs and APs at all levels

- Task 1.5.3 Delivery of trainings for implementation of ACSs and APs and monitoring of implementation of ACSs and APs

Training for ACBs on sustainable and timely implementation of ACSs and APs will be organized based on the Curriculum from Task 1.5.1 for the persons from ACBs at all levels in charge of coordination of the activities from the ACSs and APs. This training will be organized for 20 participants - one from ACBs from cantons, two from FBiH, RS and BD BiH and four from APIK.

Training of ACBs for accurate and efficient monitoring of implementation of ACSs and APs will be organized based on the Curriculum from Task 1.5.1 for the persons form ACBs at all levels in charge of monitoring of implementation of activities from ACSs and APs. In case that there is no person specifically in charge for monitoring in some bodies, the head of that ACB will select the person for





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the training. This training will be organized for 20 participants - one from ACBs from cantons, two from FBIH, RS and BD BiH and four from APIK.

Trainings will be organized as two-day events, taking place in Sarajevo, Banja Luka, Mostar, or on the other locations when the geographical distribution of the participants will make the organisation of the training more convenient for them while the invitations for the trainings will be sent well in advance, so participants could organize their work obligations on time.

- Task 1.5.4 Assistance to ACBs at all level for implementation of ACSs and APs and monitoring of implementation of ACSs and APs

Because of high importance of implementation and monitoring of implementation of ACSs and APs, the PT will provide support to further increasing of practices and skills in these scopes as an additional activity, not envisaged in the ToR. This will be delivered to the ACBs from all levels in BiH by supporting their regular obligations from the ACSs and APs in these scopes and by that strengthen their position among the public institutions and services and provide them with necessary skills for autonomous work on these issues in the future.

On the basis of the recommendations from the feedback from the participants at the trainings from Task 1.5.3, the Project Team will in close cooperation with ACBs at all levels in BiH will prepare a Plan for support further improvement of implementation and monitoring of implementation of ACSs and APs at all levels, which will be defined the activities, participants in them and their roles, timing and the way of their implementation.

On the basis of that Plan, the Project team will establish cooperation and regular communication with ACBs at all levels of BiH that will be part of its implementation and agree on the way of its implementation. Direct implementation of the Plan will be left to ACBs, while the Project Team will be in charge of guidance, support and monitoring of the process.

That will be done by delivery of on-the-job, direct assistance in the situation when that is needed and possible or via distanced assistance, delivered over phone or e-mail and monitoring of the implementation of the Plan. The Project Team will keep a record of delivered assistance and will send advises given to one or more ACBs to all other included in the implementation of the Plan, in order to spread the solutions for further improvement of implementation and monitoring of implementation of ACSs and APs.

Activity 1.7 Support to establishment of anticorruption network in institutions and citizens reporting system at all levels

- Task 1.7.1 Assessment of status of anticorruption network and citizens reporting system at all levels





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As said before, establishment of anticorruption network of focal points for ACBs and ACIs as well as for the citizens in incomplete and on-going process in BiH and in order to support this very important element of the prevention and the fight against corruption, the Project Team will assess its current status. That will be done in close cooperation with the ACBs from all levels in BiH by identifying all public institutions and services at all levels (including the local one) that have obligations from ACSs and APs as well as the ones, which already have a focal point.

A product of this activity will be current list of existing focal points in all institutions at all levels in BiH, which will be prepared and updated in cooperation and coordination with all ABCs at all levels during the whole duration of this Project. After the end of this Project the update of the list will continued by the ACBs which will gain the experience in establishment of the focal points and cooperation with them as a result of the activities in this scope, increasing the sustainability of the results of the Project.

- Task 1.7.2 Recommendations for establishment, competencies and work of AC network in the institutions

Establishment of the focal points in the frame of citizens reporting system, existing of focal points is not enough for its proper functioning without defining the competencies, obligations and procedures for their work, especially without proper expertise for communication with citizens. Accordingly, the Project Team, in close cooperation with the representatives of ACBs that work on prevention and repression of corruption APs will prepare set of documents related to the position and functioning of focal points regarding their work with the citizens.

The TL and SNKE who will conduct series of consultations with the respective ACBs in order to identify their needs and expectations, as well as the provisions of ACSs and APS and legislature at respective levels that can influence defining position and obligations of the focal points. On the basis of these findings, they will prepare a draft version of the Procedures for work of the AC focal points in the public institutions and services.

This draft version of the Procedures for work of the AC focal points with citizens will be presented at the nation-wide workshop on that issue in the Task 1.7.4 and the feedback from the participants will be used for the preparation of the final version of the Procedures.

- Task 1.7.3 Recommendations for establishment, work and coordination of citizens AC reporting system

Establishment of the focal points for the anticorruption network in the institutions is not enough for its proper functioning without defining the competencies, obligations and procedures for their work, especially for the regular two-way communication with the ACB at respective level. Therefore the Project Team, in close cooperation with the representatives of ACBs that work on implementation and monitoring of implementation of ACSs and APs will prepare set of documents related to the position and functioning of focal points.





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The TL and SNKE who will conduct series of consultations with the respective ACBs in order to identify their needs and expectations, as well as the provisions of ACSs and APS and legislature at respective levels that can influence defining position and obligations of the focal points. Particular attention in the work in this Task will be paid to the whistle-blowers protection in BiH, legislature and practice in this scope and the ways to improve the situation in this scope.

On the basis of these findings, they will prepare a draft version of the Procedures for work of the AC focal points in the public institutions and services, which will be presented at the nation-wide workshop on that issue in the Task 1.7.4 and the feedback from the participants will be used for the preparation of the final version of the Procedures.

Activity 1.8 Consolidation, harmonization and streamlining of anticorruption legal framework at all levels

- Task 1.8.1 Identification of international standards that anticorruption legal framework at all levels has to comply with

In order to identify the needs for harmonization and streamlining of the laws critical to personal and institutional integrity with the international standards, there is a need to identify all relevant standards to which the BiH has to comply with. Therefore, the Project Team will identify all relevant international conventions, reports on BiH, recommendations, etc. that contain standards that have to be applied in the BiH AC legislation. The Project team will analyse abovementioned documents in order to identify relevant standards that have to be applied in the BiH legislature, particularly regarding building the personal and institutional integrity. Check list of all relevant standards will be prepared which will be used in the later analysis of presence and quality of the provisions in the BiH legislature at all levels.

- Task 1.8.2 Assessment of anticorruption legal framework at all levels that is critical to personal and institutional integrity

Second step in consolidation, harmonization and streamlining of BiH AC legislature is identification of all relevant laws that regulate personal and institutional, as well as other important AC laws at all levels in BiH. For that purpose, the Project team will identify and analyze previous relevant assessments and analysis done by international organizations, academia and CSOs and to build upon them, both in the sense of identification additional of legislature and on findings of harmonization with the international standards.

The Project Team will prepare a list of the laws from all level in BiH that regulate prevention and fight against corruption, particularly the ones that regulate personal and institutional integrity and, after the identification of the legislature, checking for compliance with the international standards will be conducted, using the checklist from the activity 1.8.1, looking for presence and quality of provisions that regulate these standards. This activity will be conducted in close cooperation and assistance of





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ACBs and ministries of justice at all levels due to the high number of laws that has to identified and because of the need to transfer expertise in this scope to the stakeholders for their future activities of this kind, which will increase sustainability of the results of this Project.

During this analysis, another aspect of harmonization of the laws will be checked – whether laws that regulate the same scope are consistent among themselves at all levels of governance as well as if there are loopholes that shortcomings that need to be streamlined.

This analysis will result with the as clear and precise as possible identification of:

- Lack of harmonization of BiH AC laws at all levels with the international standards
- Lack of harmonization of different level AC laws that regulate same scope among themselves
- Existence of loopholes and shortcomings that influence efficient fight against corruption.

Activity 3.5 Preparation and launch awareness-raising campaign targeting citizens to counter corruption and establishment of AC “Good Practice Award”

- Task 3.5.2 Design of criteria and procedures for “Good Practice Award” for promotion of best AC practices

The Project team will collect and analyse criteria and procedures for similar awards in the countries of SEE, EU and worldwide and prepare the draft criteria and procedures for the selection of the nominees. In close cooperation with APIK, Working Group (WG) for preparation of criteria and procedures for selection of “*Good Practice Award*” will be established, consisting from representatives of (subject of update during the implementation of the Project) of APIK, ACT FBiH, ACC RS, prominent CSOs, journalists and intellectuals active in anticorruption.

The working group will assess the draft proposals of the Project team on these issues and decide on the following issues (subject to update during the implementation of the Project):

- The body that will receive and select the nominations for the award
- Criteria for selection of the body to decide on the award
- Whether one or more categories for award will be assigned
- Official title of the award
- Criteria for selection and decision on the award
- Rules and procedures for selection and awarding
- Timing for awarding (most suitable – December 9th, International anticorruption day)
- Resources needed for implementation.

The final Criteria and procedures for selection and awarding “*Good Practice Award*” adopted by the WG will be promoted at separate session at some of the conferences of the Project, such as which will match in timing with finalized criteria and procedures.



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Issues requiring attention

Every project is based on certain assumptions and faces risks (identified in the TO and updated in the IP) during the implementation and they need to be reviewed and updated constantly in the implementation of the Project. In this regard, the following issues requires attention in the forthcoming period:

- Although there are some improvements in the political will for the fight against corruption at some levels of government, such as significant efforts of Canton Sarajevo, certain improvements in Zenica - Doboje Canton and announcement from the Una – Sana Canton that they will accept the model of ACBs of Canton Sarajevo, there is a need for further increase in the political will.
- BiH ACS and AP 2020-2024 will have significant importance for the future fight against corruption in the country, but despite that, its preparation is in very early stage and needs high attention and support from the international community in scope of support to the preparation and its content and approach in determination of the future prevention and fight against corruption.
- The Working group for preparation of BiH ACS and AP 2020-2024 will gather every two weeks until December 2019 and it could influence possibility for the heads of AC bodies to participate at the activities of the Project, therefore the Project will organize events of the Project in this period as extension of the Working group's gathering.
- Level of acceptance of the technical assistance is influenced by the tendency of some of the beneficiaries to be more interested for implementation of their obligations from ACSs and APs by outsource (such as this Project or CSO projects) than for receiving technical assistance that will help them in implementation of that activities by themselves.

The PT will be strongly dedicated to risk management and identified risks will be followed permanently through our Risk Management Plan, dealing with project risks and to continuously identify, analyse, monitor and control potential risks, including preparation and identification of responses on risks.