



Although manifested mostly locally, corruption has long become a global preoccupation. In Southeast Europe, in particular, international institutions and foreign partner countries have played an important role in the anticorruption developments; in fact, they have become an indispensable factor. Their input has ranged from overall monitoring and evaluation to institution building and civil society support.

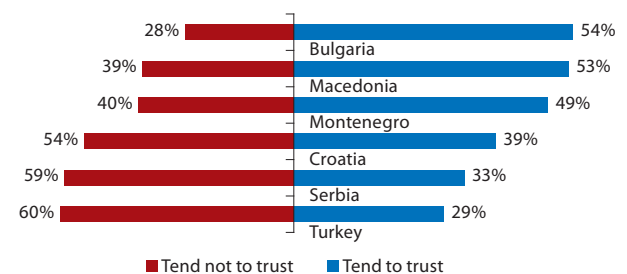
Given the extreme partisanship in domestic politics in the SEE countries, their international commitments facilitate the adoption of reform policies that might otherwise have been shunned by national politicians. This involvement, however, also brought with itself the risk of unrealistic expectations for quick fixes, which in turn could prompt the adoption of superficial and ad hoc measures. In addition, conditionality and most incentives affect primarily the executive government, while the judiciary, parliaments²⁴¹ and other concerned public and private institutions were not sufficiently involved. The sustainability of international engagement was bolstered by the broadening of the range of stakeholders to include civil society, media, professional associations, trade unions, etc. The SELDI format – a collation of non-governmental organisations reaching out to all concerned public and private bodies – is increasingly acknowledged as the only approach capable of ensuring that foreign involvement in domestic anticorruption reforms – which is well received by local stakeholders – is sustainable in the long term. From the point of view of governance reform, the SEE countries should not be seen and referred to by the international partners as unitary agents – “Montenegro aspires”, “Croatia is capable of”; rather, the delicate balance among various reformist, anti-reformist and generally inert constituencies needs to be appreciated and their politics need to be nudged towards adopting and effecting improved standards of public governance.

This broadening of the domestic interlocutors of international partners has had the effect of empowering isolated reformist politicians or political groups but also various non-government actors and – most significantly – encouraging public demand for reforms.

²⁴¹ “The judicial and anticorruption reforms promoted at high cost by the EU are often undermined by the Parliaments.” (Romanian Center for European Policies, 2011, p. 23)

Criticisms in the monitoring reports by the EU and other foreign institutions and government have been largely, although not universally, welcomed by the media and public opinion. Continuing and building on this engagement would be crucial to the leverage the EU has in the SEE countries.

Figure 90. Trust and distrust of the European Union in some SELDI countries



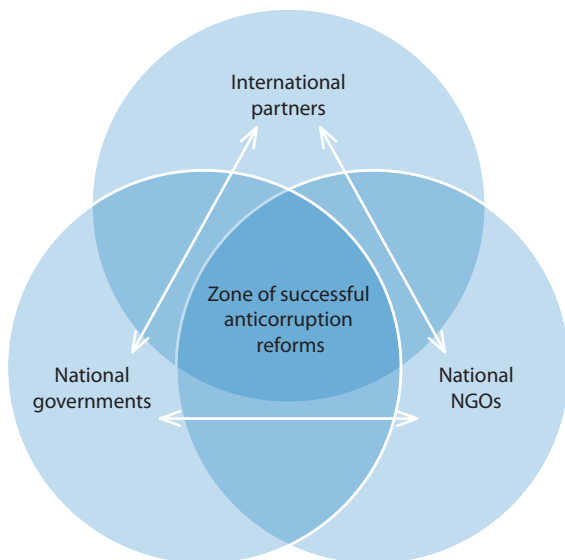
Source: (TNS Opinion & Social, Spring 2013).

Placing corruption high on the agenda of international cooperation has put the governments in the region – especially those aspiring to membership in the EU – in an awkward position. On the one hand, they are under pressure from most domestic constituencies (although this pressure differs from country to country) to accelerate the coming of accession with its expected immediate returns. What pro-European constituencies expect to gain from membership easily outweighs concerns about the state of preparedness as benefits are expected to be instant and universal, and in particular with respect to good governance. This creates an incentive for governments to “sell” the country better and to deal as quickly as possible with any perceived problems in the negotiations with the Union. On the other, the Commission and member states urge the SEE governments to address the difficult and painful issues of reform *before* they would consider membership.

A further consideration with respect to international involvement is that **anticorruption is about upsetting entrenched illicit interests**. Effective anticorruption policies need to target both the delivery of public services and the support and involvement of the public. For this to happen, a government-to-Brussels connection is not sufficient. The engagement by international partners of reformist politicians and parties needs to be supported and verified by civil society in a kind of

trilateral cooperation. “A **partnership triangulation** is possibly the shortest way to describe the formula for the success of reforms in transition. This includes reformist politicians, active civil society and political and financial support from international partners.”²⁴²

Figure 91. The triangulation principle: ensuring the sustainability of anticorruption reforms



7.1. COMPLIANCE WITH INTERNATIONAL ANTICORRUPTION STANDARDS

One of the key modes of engagement of international community has been monitoring of reforms; monitoring itself has evolved as the countries have. Initially seen as exclusively monitoring of compliance with international anticorruption standards, it is now widely acknowledged to include an evaluation of policy outcomes, as practiced by SELDI’s CMS. This complementarity is especially important given what few years ago became known “monitoring fatigue”: complaints by country bureaucrats of the transaction costs involved in servicing too many evaluation questionnaires and expert missions. The EC has also been involved in the rethinking of monitoring. From initial scepticism about the measurability of corruption – in the beginning of the 2000s it believed that: “whilst it is hard to know its extent, the persistent rumours about corrupt practices [...] contribute to tainting the political, economic and

²⁴² (Dr. Shentov, 2008, p. 17).

social environment”²⁴³ – the Commission now sets specific governance targets the achievement of which needs to be measured. It is crucial that compliance monitoring – as, for example, currently practiced by GRECO, OECD and UNCAC – continues in parallel to measuring actual institutional change.

All SELDI countries (except for Kosovo – see below) have become parties to the latest international anticorruption instrument – the *United Nations Convention against Corruption* (UNCAC). Its implementation, however, remains a challenge. The assessment of the application of the Convention in **Albania** is carried out by the National Coordinator for Anti-corruption and Department for Anti-Corruption. With respect to the two Council of Europe conventions, GRECO recommendations have been taken into account by the Albanian government although their full compliance in due time has not been always successful. During the first round of recommendations 2000 – 2002, Albania complied with all of the 11 recommendations made by GRECO. In the second round, it fully complied with 11, partially complied with 1, and did not comply with 1, out of 13 recommendations that GRECO had made. As of June 2014 Albania had complied with 7 and partially complied with 5 recommendations in the third round.²⁴⁴

EC progress reports on BiH

2012: *Bosnia and Herzegovina has made limited progress in addressing corruption, which continues to remain widespread in the public sector and the public-private interface. ... Corruption continues to affect all spheres of life, economic development and the rule of law.*

2013: *Complex connections between political actors, business and the media are putting democratic institutions and procedures at risk and making the detection of corrupt practices more difficult.*

As regards monitoring of compliance with EU good governance standards, in October 2013, the Commission recommended that Albania be granted candidate status with an understanding that Albania had to continue the fight against corruption and organised crime. Although supported by the European Commission,

²⁴³ (European Commission, COM (2000) 701 final, p. 17).

²⁴⁴ Regional Corruption Initiative. Retrieved June 2014 from: <http://www.rai-see.org/anti-corruption-monitoring/102-anti-corruption-monitoring/207-greco.html>

Table 5. Transparency and CSO participation in the review process of UNCAC in Bulgaria

Did the government make public the contact details of the country focal point?	No
Was civil society consulted in the preparation of the self-assessment?	No
Was the self-assessment published on line or provided to CSOs?	No
Did the government agree to a country visit?	Yes
Was a country visit undertaken?	Yes
Was civil society invited to provide input to the official reviewers?	Yes
Has the government committed to publishing the full country report?	Positive indications

Source: (Transparency International Bulgaria, 2011).

5 member countries²⁴⁵ voted against it claiming that Albania had still much to do with regard to corruption and the high levels of organised crime. In the June 2014 Progress Report the Commission confirmed its recommendation that Albania be granted candidate country status.

Bulgaria's monitoring by international institutions peaked at the time before accession to the EU when it had to prove compliance with the standards the Union had adopted. Legislative harmonisation, as in most of the other SELDI countries, has been generally straightforward.

Bulgaria is the only non-OECD member in the SELDI area to have signed and ratified the OECD anti-bribery convention. Although it has been in force in the country for fifteen years, there are still some outstanding issues in its implementation:

"Many of the recommendations have not been implemented because Bulgaria did not adopt draft legislation or didn't advance far enough in its legislation drafting process. [...] There continues to be no foreign bribery enforcement actions in Bulgaria; the Bulgarian authorities have not been aware of any allegations of foreign bribery committed by Bulgarian individuals or companies."²⁴⁶

Bulgaria's experience with having its governance integrity evaluated by the EU is instructive about the impact of accession on monitoring. Before 2007, there had been concerns in the EU that membership would diminish the impact of external assessment and would preclude the Commission from putting sufficient pressure on the authorities. The preceding

progress reports had had tangible effect on both the public opinion and in policy debates. The subsequent CVM evaluations, however, proved to be as strict – the January 2014 one calling developments in the country "a source of concern rather than reassurance" – and have been equally welcomed by media and civil society. With hindsight, it is evident that the loss of leverage that the EU had during the accession negotiations was made up by greater dependence on EU aid and the related linkage mechanisms – boosted trade, and greater integration of various professional groups through exchanges, cooperation, etc.

Continued frustration, however, with respect to the lack of progress in Bulgaria was also evident in the 2014 motion in the European Parliament for a call on the Commission (a motion eventually not adopted) to:

"adopt a resolute attitude towards Bulgaria and to seriously examine whether it is even possible for Union funds to be deployed in accordance with the rules in such an environment."²⁴⁷

It also prompted an MEP to refer to a "lack political culture"²⁴⁸ in Bulgaria, an unprecedented qualification.

Although it has long been a member of the Council of Europe conventions and GRECO, Bulgaria has still not implemented some of the Group's recommendations both on incriminations and party funding. Some of the outstanding issues include:

- Ensuring that active bribery and trading in influence are construed in such a way as to unambiguously cover instances where the advantage is intended for a third party.

²⁴⁵ Denmark, France, Germany, the Netherlands, and the United Kingdom.

²⁴⁶ (OECD Working Group on Bribery, 2013).

²⁴⁷ Amendment 16, Motion for resolution to (European Parliament, 2014).

²⁴⁸ (Focus News Agency, 2014).

- Reconsidering the practically automatic exemption from punishment granted to perpetrators of active bribery in the public sector in cases of effective regret.
- Introducing clear criteria concerning the use of public facilities for party activity and election campaign purposes.
- Making external audit of accounts of political parties truly independent.
- On the sanctions for violations of the *Political Parties Act*:
 - Include natural persons, including persons in charge of party accounts;
 - Broaden the range of penalties and make them more proportionate and dissuasive;
 - Extend the statute of limitation for offences under the Act.

In **Croatia**, GRECO's second compliance report concluded that Croatia had implemented satisfactorily all of the eleven recommendations contained in the third round evaluation. As regards the implementation of the recommendations concerning incriminations assessed in this report, GRECO welcomed the entry into force, on 1 January 2013, of the new *Criminal Code*, which was further amended to take into account all of GRECO's recommendations, notably as regards the express reference to bribery offences in cases in which the advantage is intended for third parties.

Insofar as the transparency of political funding is concerned, GRECO recalls that the compliance report had already concluded that all recommendations had been complied with. Supervision over the annual financial reports of political parties, independent lists and candidates has been complemented with specific campaign finance monitoring, carried out by the State Audit Office and the State Elections Commission respectively, and the roles of both bodies have been clarified. These institutions now appear to have adequate authority, as well as financial and personnel resources to be able to carry out an effective monitoring of campaign finances.

Kosovo has not acceded to the international legal instruments in the field of anticorruption due to its status.

In its monitoring of **Macedonia's** progress towards accession, the EC finds that corruption continues to be a serious problem. One area that has been highlighted is the administrative capacity of the state anticorruption bodies which despite slight improvements remain low and insufficient. Key bodies, such as the Basic Public

Prosecution for Prosecution of Organized Crime and Corruption, the State Commission for the Prevention of Corruption and the Anti-Corruption Unit of the Ministry of Interior remain understaffed and underfunded, while the State Audit Office still does not have the adequate human and financial resources to efficiently perform its new functions of financial supervision of political parties and election campaigns. As regards the judiciary, concerns were raised about the impartiality of judiciary and law enforcement to deal with corruption cases, especially high-level ones. Public procurement was another fragile and corruption prone area which has been constantly monitored by the EC. The Commission has also referred to OSCE/ODIHR concerns over misuse of state resources during the 2013 local elections and the failure of the relevant institutions to counter them, and concluded that the implementation of the legal framework on political party funding remained deficient.

EC progress reports on Macedonia

2012: *Some progress was made in the area of anti-corruption policy... There is a lack of analysis of corruption and ways to tackle it... Overall, the legislative framework is in place and capacity has been strengthened slightly, but greater efforts are needed as regards implementation of existing laws.*

2013: *In the area of anti-corruption policy, the legislative framework is largely in place... A track-record of criminal investigations, prosecutions and convictions by law enforcement and courts is being developed... However, corruption remains prevalent in many areas and continues to be a serious problem, indicating that the implementation of existing legislation has yet to make a concrete impact and the effectiveness of existing measures has to be improved.*

In the fourth evaluation round on Macedonia, GRECO concluded that the legal framework on corruption prevention with respect to MPs, judges and prosecutors is well developed and sufficiently covers most of the areas of GRECO interest. However, just as in the EC progress reports, despite the adequate legal framework the effective implementation and enforcement of legislation remains an issue of concern. Moreover, it was noted that the current arrangements for monitoring the content of statements on incompatibilities need to be further improved. As to judges and prosecutors, GRECO notes that they both lack public confidence and

transparency. Finally, GRECO concludes the ability of the State Commission for Prevention of Corruption to oversee the work of MPs, judges and prosecutors, is hampered by budgetary and staff constraints and an evident lack of proactivity.

The status of implementation of UNCAC by **Montenegro** was reviewed in 2013. The review found some outstanding issues with respect to criminalisation and law enforcement:

- Construe the offence of active bribery in the public sector in a way that unambiguously covers instances where the advantage is intended for a third-party beneficiary;
- Amend, as appropriate, the legislative provision on obstruction of evidence/justice to expand the scope of witnesses, expert witnesses or other participants in criminal proceedings so as to include their family members and/or close relatives;
- Ensure that the domestic legislation provides for a longer statute of limitations period for minor

corruption offences carrying imprisonment falling within the jurisdiction of the Basic Court.²⁴⁹

As regards GRECO, Montenegro is currently in the third evaluation round. GRECO commended the country for the substantial reforms carried out with regard to both themes under evaluation. GRECO concluded that additional steps can be taken to strengthen internal discipline of political parties, to regulate the use of public facilities during election periods, and to enlarge the coverage of sanctioning provisions. More importantly, it is decisive to ensure that the oversight responsibilities conferred to the State Audit Institution and the State Elections Commission are properly performed in practice. Likewise, the “sanctioning regime remains to be tested to assert its proportionality, dissuasiveness and effectiveness.”²⁵⁰

The authorities in **Serbia** place, at least ostensibly, international standards and obligations in the centre of the fight against corruption. Given that the EU integration has been declared to be a priority, and

Table 6. Compliance of legislation in Serbia with some international anticorruption instruments

<i>Convention on the fight against corruption involving EU officials</i>	Serbian legislation is in partial compliance with the requirements of the Convention. There are some gaps in implementing of several articles related to active and passive corruption, foreign public officials, penalties, jurisdiction and international cooperation
<i>Convention on the protection of the European Communities' financial interests</i>	Serbian legislation in general is in compliance with the requirements of the Convention.
<i>UNCAC – General provisions</i>	Serbian legal system provides good basis for the implementation of the Convention.
<i>UNCAC – Asset recovery</i>	Serbian legislation is not in compliance with the asset recovery chapter of the UNCAC. There are shortcomings in implementation of the Chapter's articles addressing prevention and detection of transfers of proceeds of crime, measures for direct recovery of property, mechanisms for recovery of property through international cooperation in confiscation, international cooperation for purposes of confiscation, special cooperation and return and disposal of assets.
<i>UNCAC – Preventive measures</i>	The existing shortcomings related to improved coordination and cooperation of the relevant institutions at all levels and to training for the public positions considered especially vulnerable to corruption are already been addressed with the <i>National Anticorruption Strategy</i> .
<i>OECD Convention on Combating Bribery of foreign public officials</i>	Serbian legislation is in compliance with this Convention and fully covers its requirements regarding the liability of legal persons, sanctions, enforcement, statute of limitations, money laundering, accounting and confiscation. The only shortcomings are related to the offence of bribery of foreign public officials, jurisdiction and mutual legal assistance.

Source: (Esadze & Prof. Taseva, 2014).

²⁴⁹ (Conference of the States Parties to the United Nations Convention against Corruption, 2013, pp. 7-8).

²⁵⁰ (Council of Europe, SG/Inf (2014)5).

that EU has put anticorruption at the forefront of the accession agenda, corruption is also at the top of government's agenda. The European Union has – through the various stages of relations, firstly with the Federal Republic of Yugoslavia, than the State Union Serbia and Montenegro and finally with the Republic of Serbia – been pointing out the problem of corruption, mostly within the wider issues of the rule of law.

Serbia has signed and ratified a number of international anticorruption agreements. This process has been developing more slowly compared to the other countries in the region, primarily due to the non-functional State Union Serbia and Montenegro, formed in 2003, within whose competence was the ratification of international agreements.

In **Turkey**, two laws meet the UNCAC requirement for preventive anticorruption measures, such as the development and implementation of effective, coordinated anticorruption policies as well as establishing appropriate systems of procurement²⁵¹ – *Turkish State Tender Law No. 2886*, which generally applies to the sale and lease transactions of state assets; and *Public Tender Law No. 4734*, which applies to the procurement of goods and services by public entities. Turkey has also criminalised bribing foreign public officials with the ratification, in 2000, of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. The adoption of the *Law 4782 Amending Certain Laws for the Prevention of Bribing Foreign Public Officials in International Commercial Transactions* and the enactment of the new *Criminal Code* came as a result.

Table 7. Status of implementation of GRECO third round evaluation recommendations on Turkey

Theme I: Incriminations	
Revise existing criminal law in order to (i) provide for comprehensive, consistent and clear definitions of bribery offences; and (ii) to capture unambiguously a) promises, offers and requests for a bribe, irrespective of whether or not the parties have agreed upon the bribe; and b) all acts/omissions in the exercise of the functions of a public official, irrespective of whether or not they constitute a breach of duty and whether or not they lie within the scope of the official's competence.	partly implemented
Ensure that the bribery offences are construed in such a way as to cover, unambiguously, instances of bribery committed through intermediaries as well as instances where the advantage is not intended for the official him/herself but for a third party.	partly implemented
Ensure that active and passive bribery – within or outside of the context of international commercial activities – of all foreign public officials, members of foreign public assemblies, officials of international organisations, members of international parliamentary assemblies, judges and officials of international courts are criminalised unambiguously.	partly implemented
Ensure that active and passive bribery – within or outside of the context of international commercial activities – of foreign jurors and arbitrators are criminalised unambiguously.	partly implemented
Criminalise active and passive trading in influence – without the requirement of a deception by the influence peddler.	partly implemented
Theme II: Transparency of Party Funding	
Ensure that annual accounts of political parties include a) income received and expenditure incurred individually by elected representatives and candidates of political parties for political activities linked to their party, including electoral campaigning, and b) as appropriate, the accounts of entities related, to political parties or otherwise under their control.	not implemented
ensure that annual accounts of political parties provide more detailed and comprehensive information on income and expenditure, including the introduction of a standardised format backed up by common accountancy principles, as well as the provision of guidance to parties by the monitoring body.	not implemented

Source: (GRECO, 2012b).

²⁵¹ (Okuyucu-Ergün, 2007).

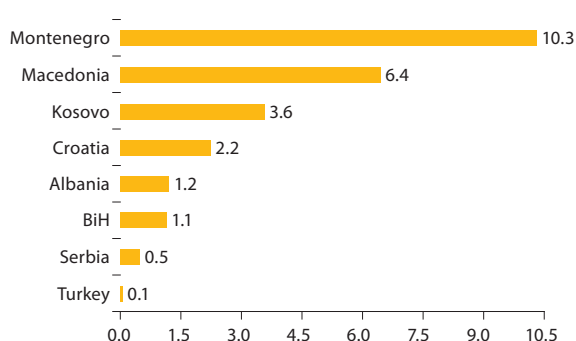
7.2. FOREIGN ASSISTANCE

In addition to providing encouraging, exerting pressure and evaluating progress, foreign partners and international organisations have also provided South-east Europe with considerable anticorruption assistance. The correspondence between their policy messages and the concrete financial and technical assistance they provide – a correspondence mostly but not universally achieved – is of key importance to the overall impact.

Multilateral institutions provide larger amounts of funding but aid approval and disbursement goes through much cumbersome procedures which creates a time lag between need and assistance. Bilaterals, although much more flexible, have smaller funds which require more precision in what they target.

With the EU, technical assistance to SEE countries has been delivered for objectives that are also conditions to be met before further integration. Thus, both policy implications and funding are conducive to the accomplishment of reforms. In this respect, multilateral institutions differ substantially from bilateral aid agencies.

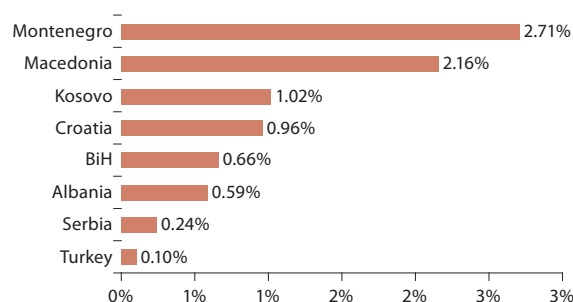
Figure 92. EU funding for anticorruption per capita of the population (€), 2007 – 2012



Source: Calculated from data from (European Parliament, 2013).

One of the major technical assistance programmes in **Albania** has been the EC funded Project Against Corruption in Albania implemented by the Council of Europe. It aimed to contribute to democracy and the rule of law through the prevention and control of corruption by enhancing the implementation of anticorruption policies and strategies in line with GRECO and MONEYVAL (Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism) recommendations

Figure 93. Share of anticorruption funding in total EU pre-accession assistance

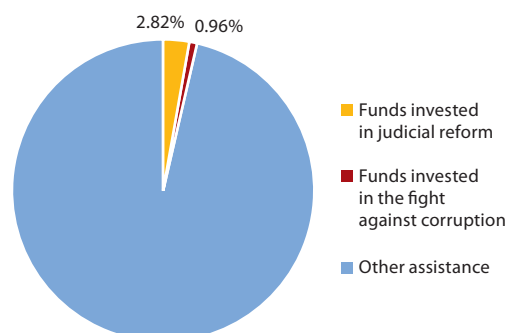


Source: (European Parliament, 2013).

and European Partnership commitments, and by contributing to the prevention of corruption in education by improving transparency, accountability and social participation. Largely following recommendations from the Project Against Corruption in Albania and EURALIUS (European Assistance Mission to the Albanian Justice System) in 2012 constitutional amendments were adopted on restricting the immunities of MPs, judges and other high level officials. Following these amendments a series of cases of corrupt judges, MPs and high level officials were sent for prosecution, and some of them have resulted in final convictions.

EURALIUS was an EU funded project which brought to Albania high-level expertise to provide legal advice and raise the capacities of the Albanian Ministry of Justice and judicial institutions. EURALIUS extended its assistance to the reform of the internal procedures of the High Council of Justice; the consolidation of the new chamber of private bailiffs; the reform of the internal structure of the Office of the Ombudsman; and the capacities of legal advisors of the Constitutional Court.

Figure 94. Share of anticorruption and judicial reform assistance in overall EU assistance to Croatia



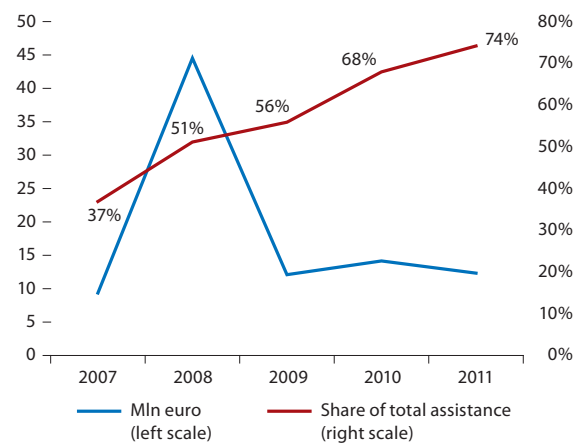
Source: (European Parliament, 2013).

The EU has invested significant resources in assisting **Croatia**, in its efforts to suppress corruption. Almost 1/3 of the overall contracted pre-accession funds to Croatia (approx. €110 million) in the period 2007 – 2011 were related to strengthening the administrative capacities in the country linked to the fight against corruption.

In **Kosovo**, two of the areas of EU assistance – rule of law and justice and home affairs – are related to anticorruption. In particular, EU's support to anticorruption institutions has contributed to the drafting of key legislation in the National Anticorruption Framework, including laws on the Anticorruption Agency, on declaration of assets, on conflict of interest, and on political party financing and amendments to the *Criminal Code*.

The EU has so far provided **Macedonia** with assistance in the field of anticorruption both as institutional

Figure 95. EU rule of law assistance to Kosovo²⁵²



Source: (European Court of Auditors, 2012).

strengthening and support to civil society. According to the Macedonian Central Donor Assistance Database,²⁵³

Box 16. CIPE: a global anticorruption leader

Since the early 1990s, the Washington-based Center for International Private Enterprise (CIPE) has been one of the most active supporters of economic and governance reforms in the former communist countries and in Southeast Europe in particular.

CIPE addresses both the demand side and the supply side of corruption through programmes that: mobilise the private sector to raise anti-corruption standards and advocate for reforms; streamline regulations and reduce implementation gaps to limit opportunities for corruption; improve corporate governance to strengthen firm-level integrity and equip small and medium-sized enterprises to resist bribery and meet requirements of global value chains. CIPE supports collective action by business and civil society stakeholders in order to address the institutional sources of corruption. A key goal of collective action is to reduce the incentives and opportunities for corruption. CIPE's value chain/anticorruption program seeks to incentivise mid-sized businesses to reduce corrupt practices as a means of joining global value chains.

One of the successful applications of this approach was in Bulgaria. In the mid-1990s, CIPE was among the pioneering supporters of the Bulgarian anticorruption initiative *Coalition 2000*, which later inspired the establishment of SELDI. Among other things, CIPE assisted the promotion of corporate governance standards, the engagement of private businesses in anticorruption efforts, and advocated for institutional reform in the privatisation process. CIPE later provided capacity building for this model to business leaders, policy makers, and anticorruption experts from the Balkans, the Caucasus, and Central Asia. The emphasis was put on identifying key lessons learned from combating corruption in Southeast Europe, and how they can most effectively be applied in the Caucasus and Central Asia.

CIPE was also among the key early supporters of SELDI in the early 2000s. The Center has provided guidance on mobilising businesses to back governance reform and has assisted SELDI in the advocacy of anticorruption policies.

²⁵² IPA 'wider rule of law' projects include, in addition to police and judicial projects, projects related to anticorruption, customs and public financial management reform.

²⁵³ <http://cdad.sep.gov.mk>

the overall value of EU funded programmes in the field of good governance and anticorruption since 2008 has been was €7,395,133. However, the largest part of this sum falls on the large regional project “Fight against Organized Crime and Corruption: Strengthening the Prosecutor's Network”, worth €5,263,158 which was implemented on a regional level (Western Balkans) by a wider international consortium. Therefore, only part of the funding was aimed directly for capacity building of Macedonian Public Prosecutors Office. The overall project objective was to contribute to improved cross-border and international judicial cooperation to investigate and prosecute cross-border crime, with focus on organised crime and corruption in particular.

Only recently the EU has provided direct support for civil society organisations working on anticorruption in Macedonia. One of the priority areas in the 2012 IPA-I call for Support to Enhancement, Sustainability and Development of an Active Civil Society was the fight against corruption and organised crime. This shows that the EU has started to consider the role of the civil society in this policy area previously reserved for the government.

Anticorruption assistance by foreign partners intensified after **Montenegro** independence. In 2007, UNDP started its anticorruption project focusing on aligning the national legal framework with UNCAC, support to the CSO initiatives and specialised governmental anticorruption agencies, as well as with anticorruption research in the areas of judiciary, local self-governance and the healthcare sector.

USAID funded Good Governance Activity (2010–2013) has had a pivotal role in advancing the CSO monitoring capacity with respect to the judiciary and to strengthen the role of civil society and the private sector as counterparts to institutions of government in Montenegro. US State Department's Bureau of International Narcotics and Law Enforcement Affairs has provided capacity building for judges, prosecutors and police officers; this was done in parallel to their Criminal Justice Civil Society Programme, which has been supporting the CSO monitoring initiatives in criminal justice sector.

7.3. RECOMMENDATIONS

Given the significant role international assistance plays in the anticorruption efforts in Southeast Europe, it is imperative that its effectiveness is enhanced. To this end, it is needed:

- Foreign assistance programmes need to better reflect the findings of international and independent domestic evaluations. For this to be achieved, assistance programmes need to be made more responsive and flexible, including a shorter time lag between design and delivery.
- International anticorruption assistance to national governments should envisage a stronger role for civil society. This includes the involvement of NGOs as implementation partners, monitors and resource organisations, especially in the evaluation of the impact of assistance projects.
- The effectiveness of assistance needs to be periodically evaluated through impact assessment methods. In addition to providing a value-for-money measure – especially when there has been public funding involved – this would allow successful programmes to be sustained while unsuccessful to be discontinued. It is imperative that this assessment be independent and that it utilises the expertise of civil society organisations.
- Assistance needs to encourage cross-country programmes on common issues – such as, trans-border crime. The Bulgarian experience in public-private cooperation in the analysis of the linkages of organised crime and corruption should be utilised across the region.
- The role and efforts of the Regional Anti-Corruption Initiative to develop and implement measures under the Governance Pillar of the SEE2020 Strategy in cooperation with national and regional civil society groups should be strengthened. The Initiative provides an important bridge between national governments and other stakeholders in the region, which should further be expanded.
- European Commission regular reports' preparation and findings should be better embedded in local policy-making by drawing more heavily upon local civil society and business community.

