



Corruption in Southeast Europe has been in the news, in the focus of public debate, and on the policy agenda of national and international institutions so often and for so long that its scrutiny hardly needs to be justified. It is precisely because it has proven to be such an intractable issue that innovative approaches to its understanding – and hence its reduction – are warranted. The EU accession prospects for the countries in the region – though distant – provide an enabling framework for action but it is local stakeholders, and in particular civil society who can bring about sustained progress in anti-corruption. The Southeast Europe Leadership for Development and Integrity (SELDI) has made the in-depth diagnosing and understanding of corruption and governance gaps in the region one of its main priorities, as a requisite condition for its advocacy of **knowledge-driven anticorruption policies**. This SELDI report fits in the development and implementation framework of the emerging regional anticorruption policy and infrastructure as exemplified by the SEE2020 Strategy's Governance Pillar run by the Regional Anti-Corruption Initiative.

Being the result of collaboration within SELDI, this report is innovative in both its method and its process. It is the result of the application of a system developed by SELDI in the early 2000s for the assessment of **both corruption and anticorruption**, tailored to the social and institutional environment of Southeast Europe.¹ The victimisation survey-based approach employed by the *Corruption Monitoring System* used in the report provides a unique data-driven assessment of anticorruption progress in the region since 2001. The 2013 – 2014 round of assessment – the findings of which are summarised in this report – is a rare case in international monitoring practice whereby the **same issues and the same region are revisited after a little more than a decade**. The assessment has compared the national legislation and institutional practice in a number of areas critical to anticorruption efforts: regulatory and legal framework, institutional prerequisites, corruption in the economy, the role of civil society and international cooperation. The report provides a **civil society view and policy assessment** while its findings and recommendations have been consulted with national and regional public institutions.

The assessment of the national institutional and legal aspects making corruption in the region possible is not intended as a comprehensive inventory of regulations and practices in all countries but rather emphasises some of the priority issues relevant to potential efforts of stemming common sources of corruption in Southeast Europe (SEE). The report provides a **model for reporting on anticorruption progress** by civil society in SEE.

¹ (SELDI, 2002).

MAIN FINDINGS

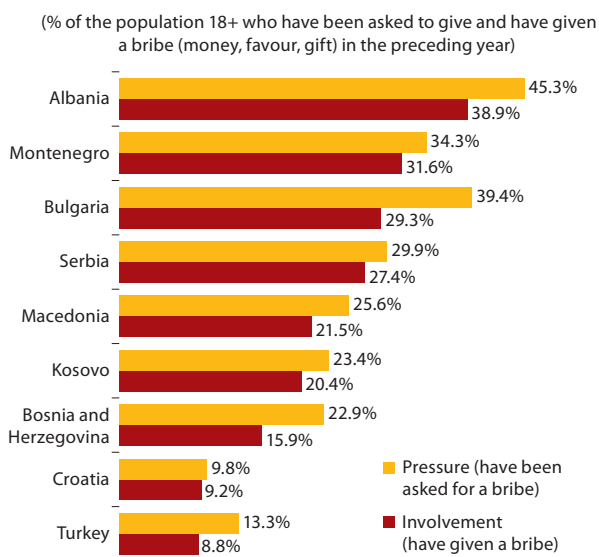
Overall assessment

Despite some important achievements – mostly with respect to the stabilisation of democratic institutions, the adoption of laws in key anticorruption areas, a reduction in petty bribery and growing public intolerance of corruption – anticorruption and good governance reforms are not consolidated, corruption among elected politicians and judges seems to be increasing and the enforcement of anticorruption legislation is haphazard. Anticorruption policies and institutions in the region will benefit immensely from the adoption of regular and accurate victimisation-survey based tool for measuring corruption and the rate of progress in good governance, similar to the special Eurobarometer on anticorruption, UNODC’s SEE monitoring of corruption and organised crime, and the *Corruption Monitoring System* employed by this report.

Prevalence of corruption in Southeast Europe

The experience with corruption – in other words, the involvement of members of the public in corruption transactions – in SEE is very high. Even in Turkey and Croatia, where levels of administrative corruption are lowest in the region, about 8-9% of the population report having given a bribe in the last year. Such levels of experience with corruption are well beyond the average levels registered by the Eurobarometer surveys in the EU.² This shows that administrative corruption is a **mass phenomenon** and cannot be confined to single cases of corrupt officials.

Corruption pressure and involvement in corruption



Source: SELDI/CSD Corruption Monitoring System, 2014.

Substantial differences between countries with a common historical background show that different paths of social, economic and institutional development render differing results. Overall, except for Bulgaria, the changes since the previous SELDI rounds of CMS diagnostics (2001 and 2002) for all countries are positive; progress, however, has been slow and uneven.

Corruption pressure from officials is the main factor that statistically influences the level of involvement. Most of the countries where both involvement and pressure are high are also characterised by low **resilience** to corruption pressure (most of the respondents who were asked for a bribe gave one). Although resilience could not be considered the main factor to reduce corruption, it reflects the prevailing social attitudes to integrity and is largely result of the efforts of civil society and authorities in increasing anticorruption awareness. In this respect the role of civil society is crucial as it is in a position to evaluate results and lead the public pressure for change.

² Indicators for experience with corruption used in the Eurobarometer surveys have slightly different content as they refer to direct experience and cases when respondents have witnessed cases of bribery. For more details, please refer to (TNS Opinion & Social, February 2014).

Anticorruption policies and legislation

Overall, the SELDI countries have adopted the better part – more importantly the logic and approach – of international anticorruption standards in their national legislations. Statutory quality, however, continues to be a problem. Frequent and inconsistent changes to laws have resulted in procedural and statutory complexity and contradictory interpretation by courts.

All countries have adopted some kind of strategic document containing their overall approach to tackling corruption. Though there are some differences among the countries, the implementation of these documents is generally hampered by insufficient resources and commitment at the senior government level. A further problem across the region has been the designing of strategies in a way to address all possible aspects of corruption. Instead of prioritising, these documents became all-embracing; with respect to anticorruption, strategic has come to signify simply exhaustive.

As regards policy priorities, there have been two significant changes in the approach to anticorruption – a shift of attention from petty corruption (that of traffic police or public sector doctors) to grand (that of members of parliament or ministers) and criminalisation of a wider array of abuses of public office. Achieving impact in terms of punishing grand corruption though remains limited at best. The key challenge for anticorruption policies in the region is to close the implementation gap, and keep up with the shifting manifestations and forms of corruption while maintaining regulatory stability and avoiding overwhelming the judiciary with frequent changes.

The findings of SELDI monitoring emphasise the **significance of public support for the success of anticorruption policies**. Trust by the public in government and the effectiveness of policy are joined in a kind of virtuous circle: higher shares of people who are optimistic about the feasibility of anticorruption success are correlated with lower corruption levels. Conversely, more prevalent corruption goes hand in hand with increased pessimism about the prospects of anticorruption.

Institutional practice and enforcement of the law

In Southeast Europe, the earlier emphasis on harmonising national legislation with international standards in anti-corruption has been gradually giving way to a focus on enforcement under increasing EU and local civil society pressure.

A shortcoming that is common to all SELDI countries is the compromised autonomy of the various oversight and law enforcement bodies. Some degree of interference by elected politicians – members of parliament or government ministers – in the work of the civil service is typical. Further, none of the SELDI countries has an adequately functioning complaints management mechanism in the public administration. Most have instituted an anticorruption body that is expected to receive complaints from the public. Another deficiency that is shared is the shortage of reliable and publicly accessible data on the performance of government institutions, especially as relates to anticorruption. Information and statistics are either not collected, not available to the public, or gathered so haphazardly as not to allow monitoring and analysis.

One of the key issues related to the design of specialised national anticorruption institutions in the region is **how to combine preventive and repressive functions**. Typically, the SELDI countries have tried to have their **anticorruption institutions** do both, although repression is by far the lesser aspect of their work. Most of the tasks of these bodies are related to some form of supervision and control, usually of the national anticorruption strategies and there is little evidence that they have had any significant influence on the governments' legislative agenda. The establishment and functioning of such institutions has been plagued by a number of difficulties:

- High as corruption might have been on the governments' agendas, it was not feasible to create institutions with extraordinary powers that would somehow affect the established balance of power. The typical compromise is for these agencies to be attached to the executive branch and given supervisory powers which, however, are usually limited to requiring other government agencies to report on the implementation of the anticorruption tasks assigned to them.
- Such agencies had to be careful not to duplicate powers already conferred to other oversight bodies (e.g. national audit institutions or law enforcement agencies).
- Most were provided with limited institutional capacity – budget, personnel – despite declared intentions to the opposite.

As regards the **legislature**, parliaments in the region do not rank high in the public trust and this unenviable position is not without its reasons. Codes of ethical behaviour are rare and unenforced; lobbying regulation is even rarer; only recently have procedures for lifting immunity from prosecution started to be introduced, albeit timidly; wherever there is an anticorruption body in parliament, it is typically to supervise some executive agency, rather than deal with corruption among members. An issue of significant concern in the SELDI countries is the financing of political parties and electoral campaigns. Most countries have implemented GRECO's recommendations on party funding but a number of problems – such as anonymous donations, vote buying (or voter bribing), insufficient capacity to audit party finances and limited powers to enforce sanctions – persist.

The present state of the **civil service** corresponds to the transitional nature of the SEE countries and the lack of adequate legal and institutional traditions as well as to chronic underfunding. Despite some differences among the countries, the need to facilitate managerial and organisational development within the civil service is common to most. The culture of "control" of the administration instead of managing its work through motivation is what obstructs both enhanced professionalism and reduced corruption. One of the main findings in the report is **the mutual reinforcement between competence and integrity**. Typically, whenever the anticorruption credentials of a given government department are questioned, it is also found to be wanting in terms of institutional capacity. Conversely, any gain in professionalism has also led to improvement in integrity. Thus, the challenge in the region is how to make transparency and accountability essential characteristics of the civil service while also enhancing its professionalism. Quite often, it is poor management, obscure criteria and inadequate division of powers and responsibilities that hamper reform and undermine government authority.

The anticorruption role of **law enforcement agencies** in the region needs to be understood against the background of the constantly expanding range of incriminated corruption-related practices which risks channelling a disproportionate number of cases to law enforcement and the prosecution. The anticorruption role of law enforcement agencies in Southeast Europe is further compromised by their high vulnerability to corruption, especially by organised crime. The police forces in most SELDI countries have units specialising in countering organised crime operations; these units are also expected to work on anticorruption. Accommodating these two functions into one body is warranted mostly by the use of corruption by organised crime but also by the need for special investigative methods in uncovering sophisticated corruption schemes – expertise that is usually vested in the anti-organised crime departments. These units are, however, typically embedded in the larger police force or the ministries of interior which deprive them of the institutional autonomy that is required for a specialised anticorruption institution.

The judiciary in anticorruption

In Southeast Europe the strong focus on ensuring judicial independence has not been balanced by equally strong requirements for accountability. Without adequate checks and balances judicial self-governance has spiralled out of control, and has turned into corporatism with all the associated corruption risks. An overemphasis on formal electoral independence became a typical example of the cure turning into the disease – instead of ensuring a balance to the executive power, self-governance perpetuated clientele-type relations between magistrates and special interests. Today, the judiciary in SEE has been as effectively captured as the other branches of power. Once emancipated from public scrutiny and the political factors that brought about such arrangements, there are today few checks on the rent-seeking by magistrates.

Not surprisingly, the public does not hold the judiciary in particularly high esteem. SELDI's *Corruption Monitoring System* finds that magistrates are considered among the most corrupt public officials in the region. The absence of transparency and accountability is arguably a significant factor in such assessments. In all SELDI countries, there has been a tangible **deterioration of the assessment of the spread of corruption among magistrates** since 2001.

The capacity of the judiciary in the region to enforce anticorruption legislation, especially as regards political corruption, has been undermined by a number of problems that have exerted their influence cumulatively:

- Constitutional issues, primarily related to restoring the balance between independence and accountability of the judiciary;
- The complexity of the criminal prosecution of perpetrators of criminal offences of corruption, especially at the political level;
- Overall insufficient capacity and the related issues of low professionalism, excessive workload, and resulting backlog of cases, case management, facilities, etc.

An important finding of this SELDI round of corruption monitoring that is relevant to the judicial role in anticorruption is the **lack of feedback mechanisms** that allow the public and policy makers to evaluate both the integrity of the judiciary and its effectiveness in applying criminal

anticorruption laws. In none of the SEE countries is there a reliable, systematic and comprehensive mechanism for collecting, processing and making publicly available statistics on the work of the courts and the prosecution, in particular on corruption cases.

Corruption and the economy

In Southeast Europe, the outstanding considerable involvement of governments in the economy generates a number of points of potential conflict between public institutions and business; in turn, this creates corruption risk. The risk is particularly high in the area of privatisation and in public procurement and concessions heavy industries such as energy and health-care. Further, business overregulation – mostly concerning registration, licensing and permit regimes – continues to generate various barriers to market entrants and higher costs of doing business although some countries in the region have made substantial progress in tackling business obstacles. Yet, oversight and compliance administrations still distort markets through focusing overwhelmingly on control and penalties without proper risk and cost-benefit evaluation. This is particularly true of customs administrations across the region, which are still seen as effective means for pressure on businesses. This either drives entrepreneurs in the informal sector or compels them to resort to bribery. In a downward spiral this then justifies further regulation and administrative barriers.

The variety of circumstances that occasion corruption in the interactions of business and public officials illustrate the difficulty anticorruption policies face as they need to take a multitude of factors under consideration. When initiated by business, corrupt practices can be divided into two main categories – avoiding extra costs and gaining unfair advantage. In the first group are the kickbacks necessitated by poor or excessive regulation, individual or institutional incompetence, etc.; in the second are various types of fraud – tax evasion, VAT fraud, smuggling, non-compliance with health and safety standards, etc.

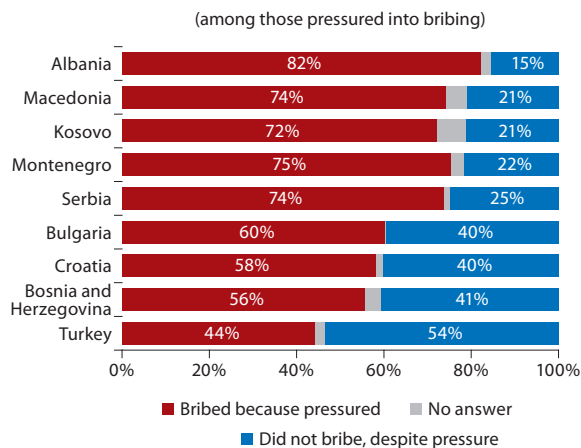
In Southeast Europe, government procurement is one of the main channels through which corruption affects the economy. Corruption risk in this area is associated with a number of deficiencies: insufficiently transparent procedures, large share of non-competitive procedures, weak oversight and ineffective judicial review (given judicial corruption), etc. Although more than a decade ago a SELDI study found that the countries in the area had made recent progress in strengthening the legal framework of the process and its harmonisation with the EU acquis, public procurement continues to be among the weakest aspects of public governance. Realities have not changed much since as well-conceived rules are circumvented by corrupt politicians and well connected businesses. Institutional fragmentation does not allow effective implementation of public procurement rules.

Civil society in anticorruption

Non-governmental organisations in Southeast Europe are among the most important driving forces in anticorruption. They are, however, still a long way from translating public demands into effective advocacy for policies, and from standing up to corruption due to a number of shortcomings. Their contribution depends in no small measure on being capable of **both serving as watchdogs and engaging government** in anticorruption reforms. Still,

there is a lack of formal mechanisms for engaging civil society by national governments in the region, as well as lack of administrative capacity and clear vision and understanding of the potential of CSOs in the field of anticorruption. Over-reliance on international, including European financing, and the lack of national policies for nurturing vibrant civic sectors in Southeast Europe, compromise the sustainable impact of local anticorruption champions.

Resilience to corruption pressure



Source: SELDI/CSD Corruption Monitoring System, 2014.

Although NGOs in the SELDI area have managed to establish some international public-private partnerships, these were not transformed into effective partnerships with national government institutions as well. The key to making partnering successful has been the capacity to enter into various relations with state institutions, both complementary and confrontational. One way, for example, of reconciling cooperation with performing a watchdog function, has been to enhance the professionalism of NGO monitoring of corruption and anticorruption policies.

The effectiveness of NGOs in addressing the issues of good public governance in SELDI countries depends to a great extent on their capacity to maintain their own governance in order. The risk of capturing of NGOs by special interests and corrupt public officials or elected

politicians stems from the opportunity to exploit a number of vulnerabilities of the non-profit sector in the region:

- absence of mandatory procedures for transparency;
- ineffective control of compliance with financial regulations;
- lack of auditing culture;
- low level of self-regulation and coordination of efforts.

Countering civil society capture as part of national anticorruption efforts in Southeast Europe should be on the top of the reform agenda in the region.

International cooperation

International institutions and foreign partner countries have played an important role in the anticorruption developments in Southeast Europe. Given the extreme partisanship in domestic politics, international commitments facilitate the adoption of reform policies that might otherwise have been shunned by national politicians. Progress reports by the European Commission, EU funding for reforms and twinning arrangements are crucial international influences on the national anticorruption agendas in most SEE countries. Although anticorruption is one of the main elements of the EC progress reports, they are received locally in different ways – countries with clearer accession prospects pay much more and detailed attention to the reports' findings, while in Turkey, for example, reports generally receive less attention.

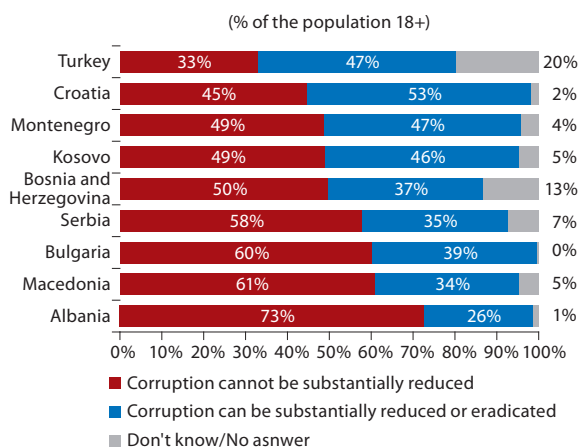
International involvement, however, also brought with itself the risk of unrealistic expectations for quick fixes which in turn could prompt the adoption of superficial and ad hoc measures. Conditionality and most of the

incentives affect primarily the executive branch agencies, while the judiciary, parliaments 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 involved local stakeholders to include civil society, media, professional associations, trade unions, etc. 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 encouraging public demand for reforms. Continuing and building on this engagement would be crucial to the leverage the EU has in the region. 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.

KEY RECOMMENDATIONS

The experience of SELDI countries in tackling corruption since 2001 demonstrates that solving the corruption challenge in the region would require sustained efforts on many fronts and the involvement of all local and international stakeholders over the long term. The current report provides a number of recommendations to achieve further progress in limiting corruption. Among these, three key areas need to be prioritised by countries in the region and at the European level in order to achieve breakthrough in the mid-term:

Feasibility of policy responses to corruption: public estimates



Source: SELDI/CSD Corruption Monitoring System, 2014.

Effective prosecution of corrupt high level politicians and senior civil servants is the only way to send a strong and immediate message that corruption would not be tolerated. Bringing crooked politicians to justice has proven very effective in strengthening anticorruption measures in Croatia and Slovenia, for example. Success in this direction would require also international support, including the involvement of EU member states law enforcement.

An **independent corruption and anti-corruption monitoring mechanism** needs to be introduced on national and regional level in order to provide robust data and analysis and integrate both **corruption diagnostics** and **anticorruption policy evaluation**. The mechanism should be implemented through national and/or regional civil society organisations and networks, and should be independent of direct

national government funding. It should serve as a vehicle for opening up administrative data and enhancing public access to information. Data allowing the tracking of public procurement, concessions, the enforcement of conflict of interest legislation, state aid, budget transfers, the annual performance reports of oversight and compliance agencies, etc., should be made publicly available in a database format, thus allowing big data analysis and the use of monitoring tools.

Critical sectors with high corruption and state-capture risks, such as the energy sector, should be addressed with priority. The other priority measures include:

- increasing competition in public procurement;
- improving the corporate governance of state owned enterprises;
- transparent management of large-scale investment projects;
- enhancing the accountability and independence of energy regulatory authorities.

International partners, and primarily the European Commission, should engage directly civil society organisations in the region. This is essential for several reasons: a) for internationally supported reforms to become sustainable, they need to gain wider public acceptance and CSOs are indispensable for this to happen; b) involvement of CSOs is a way of guaranteeing that the accountability of governments to donors and international organisations does not take precedence over accountability to local constituencies; c) the effectiveness of international assistance would be enhanced if it utilises the monitoring and analytical skills and advocacy capabilities of CSOs; d) a direct engagement would have the added benefit of preventing civil society being captured by the clientelistic networks of unreformed and often corrupt public administrations.

SPECIFIC RECOMMENDATIONS

Policies and legislation

- Define national anticorruption efforts in terms of policy related to quantifiable goals and milestones rather than simply measures or legislation. This would entail setting specific targets to be achieved and selecting appropriate intervention methods. These targets should be quantified as much as feasible.
- Prioritise certain sectors, types of corruption and methods of intervention and pilot different approaches before rolling out full blown measures. Corruption is a broad concept, related to various and varying types of fraud which cannot be addressed simultaneously in an effective way.
- Policies need to be informed. While some effort has been made in the national anticorruption strategies to estimate previous results, none of the SELDI countries has a sustainable mechanism of evaluation of anticorruption policies. At the very least, this requires: a) reliable and regular statistics about anticorruption efforts (investigations, prosecutions, administrative measures, etc.); b) regular monitoring and analysis of the spread and forms of corruption in the various public sectors. The monitoring should be independent and/or external to the country, involve civil society and incorporate the basic components of non-administrative corruption monitoring systems, such as SELDI's CMS.

Anticorruption institutions and enforcement of the law

- Introduce a feedback mechanism for the enforcement of anticorruption policies. The mechanism could be based on innovative new instruments made more readily available in recent years, such as the *Integrated Anticorruption Enforcement Monitoring Toolkit* developed by the Center for the Study of Democracy and the University of Trento. It allows policy makers to assess corruption risks in a given government institution and the effect of the corresponding anticorruption policy, identifying the highest impact solutions.
- The institutional capacity of the relevant government bodies – particularly the specialised anticorruption agencies and oversight agencies such as the national audit institutions – including their budgets, facilities and personnel need to be aligned with the wide remit these institutions are given. Alternatively, they should design more narrow annual or mid-term programmes, which prioritise interventions.
- National audit institutions should also have their institutional leverage strengthened, including the powers to impose harsher sanctions. Both auditees and national parliaments should be obligated to follow up on the reports of these institutions. The national audit institutions should also be mandated to audit the management of EU funds where these are administered by national authorities. As performance audit work is at a very early stage, they should develop their capacity to carry out more of these.
- Further measures are needed to ensure that recruitment to the civil service is merit based and not dependent on political party affiliation.
- The anticorruption work needs to be shared more evenly among government bodies. Expanding the range of statutory incrimination should be balanced by enhanced capacity in all public bodies to address corruption in their ranks through administrative tools instead of “buck-passing” responsibility to police and prosecution. General public administration bodies should act as gatekeepers of the criminal justice system by dealing with as many corruption cases as their administrative powers allow them. At the very least, this entails the creation of effective complaints management mechanisms.
- The forfeiture of illegally obtained assets in corruption cases is an anticorruption tool the application of which should be expanded. While special care needs to be applied to balance the rights of the accused with the interests of public good – especially in an environment of often corrupt public administrations – wealth confiscation following criminal convictions is an important deterrence which is still underutilised in SEE.

Judiciary

- Countries where the majority of the judicial self-governing bodies are not elected among magistrates should adopt reforms increasing their voting power. Countries that have not, should adopt the “one magistrate – one vote” principle.
- Ensure that the election of the judicial quota is as representative as possible, including judges from first instance courts. Carefully review, and if needed reconsider, the compatibility of the position of court chairperson with membership of the judicial self-governing bodies.
- In countries where both the prosecution and the courts are governed by the same body, two colleges – for the prosecutors and for judges – need to

be separated within this body. Prosecutors and judges, respectively, would only be elected to these colleges.

- Abolish or reduce to a minimum the role of government ministers (typically of justice) in judicial self-governing bodies, especially as regards decisions on disciplinary procedures.
- Magistrates should be prioritised in the mechanism for verification of asset declarations.
- The independence and capacity of judicial inspectorates should be strengthened to allow them to step up inspections.
- Introduce feedback mechanisms for the enforcement of anticorruption policies with respect to magistrates. These mechanisms are substantially deficient or practically missing in all SELDI countries; their absence sabotages the repression aspect of anticorruption policies and renders further incrimination of corruption useless. A possible best practice to be replicated – although it is still underdeveloped – is Kosovo’s Platform of Anticorruption Statistics, designed by an NGO. Such a mechanism should include regular information about: disciplinary and administrative and criminal measures in the public service and the judiciary; the various aspects of criminal prosecution, including indictments and convictions/acquittals, and sentences by the various types of corruption offences.

Corruption and the economy

- Reduce to a minimum and review annually state aid policies as they create considerable corruption risks. Introduce in advance strict enforcement of EU state aid rules, and develop the capacity of national independent state aid regulators to enforce the rules.
- Improve the enforcement of anti-monopoly legislation in order to promote free enterprise and competition. Apply special care and review regularly concentration in sectors which are heavily regulated and face licensing and other restrictions, thus creating a risk of collusion between larger competitors and politicians.
- Countries that have not done so should establish institutional links between the management of assets and liabilities of all public finances, including state-owned companies, in order to mitigate financial risks and enhance the government’s credibility in public finance management. State-owned enterprises should meet stringent corporate governance and reporting requirements (e.g. OECD rules), on par with publicly traded companies. These enterprises should publish online quarterly reports.
- Introduce liability and sanctions for contracting authorities who fail to submit reports on public procurement in continuity, reports on violations of anticorruption regulations or submit incorrect or incomplete data.
- Define a legal and institutional framework for the management and control of contracts concluded by public-private partnerships.
- Improve oversight of procurement by large public procurers (state-owned enterprises and utility companies) to maximise the efficiency and reduce irregularities.
- Adopt policies to reduce the share of public procurement tenders with only one bidder and enhance competition. Publish in online searchable data-base format the complete documentation on public procurement pre-notices, notices, bids, contracts, and any addendum thereof.

- EU candidate countries that do not have one should establish decentralised implementation systems for EU funds to provide the appropriate legal and administrative framework for the transfer of responsibilities for the implementation of the EU funded programmes. Oversight should remain centralised and independent of implementation bodies.
- Introduce the concept of value-for-money in the evaluation of public procurement contracts.

Civil society

- Enhance the capacity of civil society organisations to monitor and report on corruption and anticorruption, including the ability to collect and collate primary information on the operation of government institutions, skills for the measurement of the actual proliferation of corruption and in the analysis of data, institutional evaluation and report writing.
- Conflict of interest legislation should include non-profit institutions, especially where they are funded via government administered programmes, such as national budget, EU funds, etc.
- Rules and regulations for public funding – both by central and local governments – of non-profit organisations should be clear and transparent. Only NGOs registered in the public benefit should be allowed to receive public funding, and should respectively meet more stringent reporting and disclosure requirements.
- The European Union and other donor agencies should consider a larger share of funding for good governance programmes implemented in collaboration between civil society organisations and public institutions. These programmes should have explicit requirements against the capture of NGOs by special interests. It should be noted that achieving impact requires longer-term (10 years and above) sustained commitment.
- The civil society sector needs to provide for its own self-regulation. At the minimum, this involves adopting codes of conduct with aspirational standards. They should also find more and better ways of organising coalitions of interest.
- NGOs need better understanding of the need to be transparent and accountable. This includes undergoing regular auditing, disclosure of financial statements, explicit and transparent corporate governance procedures, and measures against capture by special interests.
- The non-EU member countries of SEE would be well advised to learn from the body of knowledge and expertise contained in the EU Anticorruption Report. This would provide them with valuable insights with respect to the evaluation of the spread of corruption and the design of anticorruption policies.

International cooperation

- 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.
- 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.

