

ANTI-CORRUPTION STUDIES

THE MASTER'S PROGRAM

COURSE

BEST INTERNATIONAL ANTI-CORRUPTION STANDARTS AND PRACTICES

2023/24









Contact information:

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Course description:

The aim of the course is to learn about international anti-corruption standards, as well as their implementation. To be more specific, the students are going to have an in-depth study of the cases of the globally recognised good practices of addressing corruption by foreing countries. Likewise, the course focuses on brainstorming the best solutions currently applicable to Ukraine, especially at the regional level.

Course objectives

At the completion of the course, you will:

- ▷ (1) know international anti-corruption legal instruments, likewise other relevant documents, the anti-corruption standards (ACS) are rooted from;
- \triangleright (2) understand how these instruments as well as their monitoring mechanisms work;
- (3) have a clear vision of the ways of hands-on implementing the international ACS to particular national, or local, context;

Extra points are not allowed in this course except the ones that are foreseen in the course.

SCHEDULE

Class	Data and	Kyiy tipa	Tonic
1		13:30 – 16:20	Greeting. Intro into the course. Democracy, Rule of Law, and Anticorruption: what is the connection between them? What do we mean by international anti-corruption standards? What are they defined by? OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions Council of Europe's anti-corruption conventions, and other relevant documents. United Nations Convention against corruption. Who evaluates practices and determines that they are "good", or even "the best"? Conventional monitoring mechanisms: OECD, GRECO, UNODC. Case study of the recognized best practices: Lithuania, the Netherlands, Germany, Norway, the United Kingdom, the United States, Finland, Switzerland
2	23 Sept 2023	13:30 – 16:20	International standards for anti-corruption preventive measures, and good practices: anti-corruption policy Case study: Albania, UK.
3	30 Sept 2023	13:30 – 16:20	International standards for anti-corruption preventive measures, and good practices: anti-corruption bodies
4	7 Oct 2023	13:30 – 16:20	International standards for anti-corruption preventive measures: by principle of integrity through transparency and accountability Codes of conduct: • conflict of interest, asset and interest disclosure: examples from Georgia, France; • post-employment restrictions, gifts: examples from UK, Lithuania, the Netherlands; • reporting and whistleblowing: examples from Latvia, Norway, Lithuania.
5	14 Oct 2023	10:00 – 13:00	International standards for anti-corruption preventive measures: by principle of integrity through transparency and accountability Political funding: case study of good practices from Norway. International standards for anti-corruption preventive measures: by principle of integrity through transparency and accountability Anti-corruption awareness raising and education: case study of good practices from Hungary, Armenia. Civil service: case study of good practices from Georgia, Kazakhstan, Mongolia, USA.
6	21 Oct 2023	10:00 – 13:00	International standards for anti-corruption preventive measures: by principle of integrity through transparency and accountability Public procurement. Management of public finance
7	28 Oct 2023	10:00 – 13:00	International standards for anti-corruption preventive measures: by the principles of participatory democracy through public participation for efficiency and accountability. Civil society involvement Private sector: case study of good practices from Slovak Republic, Albania, UK, the EU.
8	25 Nov 2023	10:00 – 11:20	Presenting deliverables (final assignment), peer review, and discussion

Course Format

The course will combine lectures, case studies, workshops, presentations.

Course materials

Power-Point slides Handouts

COURSE TOPIC OUTLINE

The list of topics is tentative. The speed at which material is covered and to some extent content will be determined endogenously as the course progresses. Therefore, I reserve the right to make any changes to the course outline at any time. Announcements will be made in class for upcoming topics to be covered.

The approach to generalization of the international anti-corruption standards, that is applied by the course developer to the formulation of the course structure and context (in particular topics for the classes 7-12), reflects solely the course developer's view, and the ACREC is not responsible for any sign of criticism in that regard.

ACADEMIC INTEGRITY

All students in this course are expected to adhere to standards of academic integrity. Cheating, plagiarism, misrepresentation, and other forms of academic dishonesty will not be tolerated. This includes, but is not limited to: turning in written work that was prepared by someone other than you, making minor modifications to the work of someone else and turning it in as your own, or engaging in misrepresentation in seeking a postponement or extension, presenting somebody's else thoughts, ideas, conclusions, findings etc. as your own, manipulation with information, non-fact-checking, failure to refer to the resources of information (idea, thought, finding etc). Ignorance will not be permitted as an excuse to ask for clarification.

Rules during the lesson:

Please, turn off your phones during the classes and come in kindly in time. Do your best to express your comments, suggestions, arguments, concerns in absolutely polite, not abusive manner. Give reasonables grounds. Be tolerant and open for oposite views.

Ethical rules for writing tasks:

All students must work on researches individually. Students are required to make references in their work and cite all sources and publications. Research without references is considered to be plagiarism. Plagiarism is unacceptable and will lead to the loss of the right to receive credits for the course.

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The grades will be based on the following distribution:

Assignments	Scores
5 scores per class (except the final one)	70
Evaluation report, 1st draft – by 23 Oct 2023	7
Peer review – by 28 Oct 2023	10
Evaluation report, 2nd draft – by 20 Nov 2023	6
Rapporteur made on 25 Nov 2023	4
Valuable contributions in discussions on 25 Nov 2023	3
Total grade	100

Evaluation. Course rules and requirements. Grade for the course:

ECTS Grade	Scores (Points)	Signification
А	91-100	Excellent
В	81-90	Very Good
С	71-80	Good
D	66-70	Satisfactory
Е	60-65	Sufficient
F	30-59	Insufficient
F	0-29	Failed

PLAN OF THE COURSE

BEST INTERNATIONAL ANTI-CORRUPTION STANDARTS AND PRACTICES



- Introduction into the course.
- What do we mean by international anticorruption standards? What are they defined by?
- OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions
- © Case study of the recognized best practices of its implementation: Lithuania, the Netherlands, Germany, Norway, the United Kingdom, the United States, Finland, Switzerland.



- On combating bribery of foreign public officials in international business transactions and Related Documents: Convention of 21.11.1997. URL: https://www.oecd.org/daf/anti-bribery/ConvCombatBribery_ENG.pdf (date of access: 02.05.2021).
- Про міжнародні договори України : Закон України від 29.06.2004 р. № 1906-IV. URL: https://zakon. rada.gov.ua/laws/show/1906-15?find=1&text=конвенція#w1_1 (дата звернення: 14.05.2021).
- A Resource Guide to the U.S. Foreign Corrupt Practices Act Second Edition By the Criminal Division of the U.S. Department of Justice and the Enforcement Division of the U.S. Securities and Exchange Commission
- https://www.justice.gov/criminal-fraud/fcparesource-guide and https://www.sec.gov/ spotlight/fcpa/fcpa-resource-guide.pdf. https:// www.justice.gov/criminal-fraud/file/1292051/ download
- Revised recommendation of the Council on combating bribery in international business transactions: of 23.05.1997 no. C/M(97)12/Prov. URL: https://www.oecd.org/officialdocuments/ publicdisplaydocumentpdf/?cote=C(97)123/ FINAL&docLanguage=En.



OECD: Country reports on the implementation of the OECD Anti-Bribery Convention, http:// www.oecd.org/daf/anti-bribery/countryreportso ntheimplementationoftheoecdantibriberyconve ntion.htm.





- Council of Europe's anti-corruption conventions, and other relevant documents.
- United Nations Convention against corruption



- On Twenty Guiding Principles for the Fight Against Corruption: Resolution of the Council of Europe of 06.11.1997 no. (97)24. URL: https://rm.coe.int/16806cc17c (date of access: 30.04.2021).
- Council of Europe Criminal Law Convention on Corruption: Convention of 27.01.1999 no. ETS No.173. URL: https://www.coe.int/en/web/ conventions/search-on-treaties/-/conventions/ treaty/173.
- Council of Europe Additional Protocol to the Criminal Law Convention on Corruption: Additional Protocol of 15.05.2003 no. ETS No. 191. URL: https://www.coe.int/en/web/ conventions/search-on-treaties/-/conventions/ treaty/191.
- Council of Europe Civil Law Convention on Corruption: Convention of 04.11.1999 no. ETS No.174. URL: https://rm.coe.int/168007f3f6 (date of access: 24.10.2021).
- United Nations Convention Against Corruption: Convention. URL: https://www.unodc.org/ documents/treaties/UNCAC/Publications/ Convention/08-50026 E.pdf.
- Technical guide to the United Nations Convention Against Corruption. New York: United Nations, 2009. 240 p. URL: https://www.unodc.org/documents/corruption/Technical_ Guide UNCAC.pdf.
- Legislative guide for the implementation of the United Nations Convention against Corruption. New York: United Nations, 2006. 300 p. URL: https://www.unodc.org/pdf/corruption/ CoC_LegislativeGuide.pdf.
- Hechler H., Huter M., Scaturro R. UNCAC in a nutshell 2019 A quick guide to the United Nations Convention against Corruption for donor agency and embassy staff. U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute (U4 Guide 2019:2), 2019. 29 p., p. 2. URL : https://www.u4.no/publications/uncac-in-anutshell-2019.pd.

CLASS 3 Case study

9 $Best\ international\ anti-corruption\ standarts\ and\ practices$



Who evaluates practices and determines that they are "good", or even "the best"? Conventional monitoring mechanisms: OECD, GRECO.

Resources

- The partial and enlarged agreement establishing the "Group of states against corruption – GRECO": Resolution of the Council of Europe of 05.05.1998 no. [98] 7. URL: https:// rm.coe.int/16806cd24f.
- Rules of procedure: Decision Adopted by GRECO at its 1st plenary meeting (Strasbourg, 4-6 October 1999). URL: https://rm.coe. int/16806cd443.
- Ad hoc procedures (Rule 34). Group of States against Corruption. URL: https://www.coe.int/ en/web/greco/ad-hoc-procedure-rule-34- (date of access: 03.06.2021).



- Council of Europe: Group of States against Corruption (GRECO) Evaluations, https://www. coe.int/en/web/greco/evaluations.
- OECD: Country reports on the implementation of the OECD Anti-Bribery Convention, http:// www.oecd.org/daf/anti-bribery/countryreportso ntheimplementationoftheoecdantibriberyconve ntion.htm.
- OECD: Anti-Corruption Network for Eastern Europe and Central Asia, http://www.oecd.org/ corruption/acn/.
- OECD: Istanbul Anti-corruption Action Plan, http://www.oecd.org/corruption/acn/ istanbulactionplan/.

CLASS 5 Case study



Who evaluates practices and determines that they are "good", or even "the best"?
Conventional monitoring mechanisms: UNODC



- Terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption: Resolution 3/1 of the Conference of the States Parties to the United Nations Convention against Corruption. URL: https://www.unodc.org/documents/congress/background-information/Corruption/Mechanism_for_the_Review_of_Implementation Basic Documents E.pdf
- Technical guide to the United Nations Convention Against Corruption. New York: United Nations, 2009. 240 p. URL: https://www.unodc.org/documents/corruption/Technical_ Guide_UNCAC.pdf.
- Legislative guide for the implementation of the United Nations Convention against Corruption. New York: United Nations, 2006. 300 p. URL: https://www.unodc.org/pdf/corruption/ CoC LegislativeGuide.pdf.



- International standards for anti-corruption preventive measures, and good practices: anticorruption policy
- Case study: Albania, the UK...



- Technical guide to the United Nations Convention Against Corruption. New York: United Nations, 2009. 240 p. URL: https://www.unodc.org/documents/corruption/Technical_ Guide UNCAC.pdf.
- Legislative guide for the implementation of the United Nations Convention against Corruption. New York: United Nations, 2006. 300 p. URL: https://www.unodc.org/pdf/corruption/ CoC LegislativeGuide.pdf.
- Anti-corruption reforms in Eastern Europe and Central Asia. Paris: 0ECD, 2019. 418 p. URL: https://www.oecd.org/corruption/Anti-Corruption-Reforms-Eastern-Europe-Central-Asia-2016-2019-ENG.pdf



- Council of Europe: Group of States against Corruption (GRECO) Evaluations, https://www. coe.int/en/web/greco/evaluations.
- Financial Action Task Force (FATF): Mutual Evaluations, https://www.fatf-gafi.org/publications/mutualevaluations. Organisation for Economic Cooperation and Development (OECD) and Asian Development Bank (ADB): Anti-Corruption Initiative for Asia-Pacific, http://www.oecd.org/site/adboecdanticorruptioninitiative/.
- OECD: Anti-Corruption Network for Eastern Europe and Central Asia, http://www.oecd.org/ corruption/acn/.
- OECD: Istanbul Anti-corruption Action Plan, http://www.oecd.org/corruption/acn/ istanbulactionplan/.
- Open Government Partnership: Members, https://www.opengovpartnership.org/ourmembers/.
- Organisation of American States (OAS): Reports of the States Parties to the OAS Anticorruption Mechanism (MESICIC), http://www.oas.org/en/ sla/dlc/mesicic/paiseshome.html.



- International standards for anti-corruption preventive measures, and good practices: anticorruption bodies
- Case study: France.



- Jakarta Statement on Principles for Anti-Corruption Agencies (2012): https://www.unodc. org/documents/corruption/WG-Prevention/ Art_6_Preventive_anticorruption_bodies/ JAKARTA_STATEMENT_en.pdf.
- Transparency International (2018): Anti-Corruption Agency Assessment Tool and the Jakarta Principles, https://www.transparency. org/files/content/activity/2018_Jakarta_ Principles_and_TI_ACA_Tool.pdf.
- Anti-corruption reforms in Eastern Europe and Central Asia. Paris: 0ECD, 2019. 418 p. URL:
- https://www.oecd.org/corruption/Anti-Corruption-Reforms-Eastern-Europe-Central-Asia-2016-2019-ENG.pdf



 Council of Europe: Group of States against Corruption (GRECO) Evaluations, https://www.coe.int/en/web/greco/evaluations.

CLASS 9-10

Plan:

- International standards for anti-corruption preventive measures: by principle of integrity through transparency and accountability.
- Case study of good practices:
- (1) Codes of conduct: conflict of interest, asset and interest disclosure (Georgia, France), post-employment restrictions, gifts (the UK, Lithuania, the Netherlands):
- **●** (2) Political funding (Norway)
- (3) Anti-corruption awareness raising and education (Hungary, Armenia);
- (4) Reporting and whistleblowing (Latvia, Norway, Lithuania);
- (5) Civil service (Georgia, Kazakhstan, Mongolia, the USA):
- (6) Private sector (about beneficial ownership) (Slovak Republic, Albania, the UK, the EU);
- (7) Public procurement (countries TBC)

Resources

- Technical guide to the United Nations Convention Against Corruption. New York: United Nations, 2009. 240 p. URL: https://www.unodc.org/documents/corruption/Technical_Guide_UNCAC.pdf.
- Legislative guide for the implementation of the United Nations Convention against Corruption. New York: United Nations, 2006. 300 p. URL: https://www.unodc.org/pdf/corruption/ CoC LegislativeGuide.pdf.
- Recommendation Rec(2001)10 of the Committee of Ministers to member states on the European Code of Police Ethics: Recommendation adopted by the Committee of Ministers on 19 September 2001 at the 765th meeting of the Ministers' Deputies. URL: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805e297e.

- Anti-corruption reforms in Eastern Europe and Central Asia. Paris: 0ECD, 2019. 418 p. URL: https://www.oecd.org/corruption/Anti-Corruption-Reforms-Eastern-Europe-Central-Asia-2016-2019-ENG.pdf
- Stolen Asset Recovery Assistance (StAR) (2017): Getting the Full Picture on Public Officials – A How-To Guide for Effective Financial Disclosure, https://star.worldbank.org/sites/star/ files/ getting-the-full-picture-on-public-officialshow-to-guide.pdf.
- Transparency International (2015): Topic Guide: Codes of Conduct – The Role of Income and Asset Disclosure in Anti-Corruption, https://knowledgehub.transparency.org/ guide/topicguide-on-interest-and-assetdisclosure/5361.
- Transparency International (2015): Topic Guide: Interest and Asset Disclosure – Standards and Guidelines, https://knowledgehub.transparency. org/guide/topic-guide-on-interest-and-asset -disclosure/5867.
- UNODC, IFES and OSCE-ODIHR (2019): Expert
 Group Meeting Transparency in Political
 Finance, https://www.unodc.org/documents/
 corruption/PragueEGM2019/Report_EGM_
 Transparency in Political Finance Prague.pdf.
- Рекомендація N Rec (2003) 4 Комітету міністрів Ради Європи державам-членам «Про загальні правила боротьби з корупцією при фінансуванні політичних партій і виборчих кампаній» : Рек. Ради Європи від 08.04.2003 р. № Rec(2003)4. URL: https://zakon.rada.gov. ua/laws/show/994_867 (дата звернення: 02.06.2021).
- Doublet Y.-M. Fighting Corruption Political funding. CoE. 57 p. URL: https://rm.coe.int/ CoERMPublicCommonSearchServices/DisplayD CTMContent?documentId=09000016806cbff2.

Useful resources:

- Council of Europe: Group of States against Corruption (GRECO) Evaluations, https://www. coe.int/en/web/greco/evaluations.
- OECD Anti-Corruption and Integrity Hub, https://www.oecd.org/corruption-integrity/ reports/oecd-public-integrity-handbookac8ed8e8-en.html



- International standards for anti-corruption preventive measures: by the principles of participatory democracy, inter alia, public participation for efficiency, transparency and accountability.
- Case study of good practices:
- (1) Civil society involvement (countries TBC);
- (2) Management of public finance (countries TBC).



- Technical guide to the United Nations Convention Against Corruption. New York: United Nations, 2009. 240 p. URL: https://www.unodc.org/documents/corruption/Technical_ Guide UNCAC.pdf.
- Legislative guide for the implementation of the United Nations Convention against Corruption. New York: United Nations, 2006. 300 p. URL: https://www.unodc.org/pdf/corruption/ CoC LegislativeGuide.pdf.
- Anti-corruption reforms in Eastern Europe and Central Asia. Paris: 0ECD, 2019. 418 p. URL: https://www.oecd.org/corruption/Anti-Corruption-Reforms-Eastern-Europe-Central-Asia-2016-2019-ENG.pdf



- Council of Europe: Group of States against Corruption (GRECO) Evaluations, https://www. coe.int/en/web/greco/evaluations.
- Open Government Partnership: Members, https://www.opengovpartnership.org/ourmembers/.



• International standards and good practices for corruption criminalization (investigation, prosecution, punishment) – quest lecturer



- Technical guide to the United Nations Convention Against Corruption. New York: United Nations, 2009. 240 p. URL: https://www.unodc.org/documents/corruption/Technical_ Guide UNCAC.pdf.
- Legislative guide for the implementation of the United Nations Convention against Corruption. New York: United Nations, 2006. 300 p. URL: https://www.unodc.org/pdf/corruption/ CoC LegislativeGuide.pdf.
- Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions: of 26.11.2009. URL: https://www.oecd.org/ corruption/anti-bribery/OECD-Anti-Bribery-Recommendation-ENG.pdf.



- Council of Europe: Group of States against Corruption (GRECO) Evaluations, https://www. coe.int/en/web/greco/evaluations.
- OECD: Country reports on the implementation of the OECD Anti-Bribery Convention, http:// www.oecd.org/daf/anti-bribery/countryreportso ntheimplementationoftheoecdantibriberyconve ntion.htm.

CLASS 14

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Presenting individual research findings

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• Presenting individual research findings

Plan: Presenting individual research findings

LECTURER

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