

1 - Information requested from States parties in relation to lessons learned in the development, evaluation and impact of anti-corruption strategies (art. 5 of the Convention)

1. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention, and in particular to develop, implement, monitor and evaluate the impact of the country's anti-corruption policies.

In relation to article 5 and measures/steps that have been taken, States parties and signatories may wish to consider including the following:

a) Development and Implementation Process

- Description of the process and steps taken for the development of the anti-corruption policies (strategy, plan, or other policies, regardless of their format or official title) that have been produced or are currently being developed by the State party;
- Description of how the policies reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability;
- • Description of the applicable implementation mechanisms (including allocated budget, designated responsible institutions, timeline for implementation, etc.) which were established at national, subnational and/or local government levels;
- • Description of any coordination mechanisms which have been put in place (including structures, protocols or procedures); and • Description of how the participation of society was promoted, including whether stakeholders outside of government were consulted and involved in the development, implementation and coordination.

*In 2015, the Anti-corruption strategy for the years 2015-2018 was approved based on which 4 sectoral action plans (in education, healthcare, state revenue collection, police) were developed and adopted. It should be highlighted that the general strategy was aimed at fighting against corruption in public administration. A number of legislative regulations were drafted and adopted within the framework of previous strategies, the legislation has been mainly brought in line with international standards (criminalization of illicit enrichment, Law on Whistle Blowing System, Law on Corruption Prevention Commission, new laws on Public Service and Civil Service, Laws setting up administrative and criminal responsibility in the cases of the violation of the process of the declaration, etc). In 2018, Armenia has launched the process of development of the new Anti-Corruption Strategy. To ensure wide stakeholder engagement in the development process the Ministry of Justice has applied to the interested NGOs in order to receive their suggestions on priorities, directions, actions. After having received very limited suggestions, the Government has decided to start the discussions on very preliminary version of the draft strategy. On 19.12.2018, 25.01.2019, 17.04.2019-18.04.2019, the Draft was discussed with all stakeholders (state bodies, NGOs, business associations, international organizations). Parallely the draft was available for*

public discussion in e-draft.am<sup>1</sup> (Unified website for publication of legal acts' drafts) As a result, the Ministry has received more than 300 suggestions, based on which the strategy currently is being revised.

In Government's opinion the draft strategy includes ambitious measures to target corruption risks. Thus, the draft contains measures on centralisation of intelligences and investigation of corruption crimes, creation of a register on beneficial owners, measures aimed at preventing corruption, improving the efficiency of detection and investigation of corruption, making accent on education and awareness raising Moreover, taking into account the suggestions of NGOs, the draft will include also measure on detecting corruption risks and based on them to develop and implement sectoral anti-corruption action plans in all public institutions.

The coordination on anti-corruption issues is ensured in practice. Thus, the Ministry of Justice is in charge of developing all anti-corruption related legal acts, including strategies However, the overall coordination of the process is implemented by the Prime-Minister's office

#### **b) Monitoring and Evaluation**

- Description of the monitoring mechanisms which were established (including monitoring protocols, mechanisms and channels, feedback mechanisms, etc.);
- Description of the evaluation mechanisms which were established (including indicators, targets, baselines, data collection tools, data analysis procedures, validation and presentation or reporting of the evaluation findings to the policymakers and to the public at large);
- Description of analytical approaches and methodologies used with regard to data and indicators in order to measure progress in implementation as well as the impact of measures taken further to the implementation process; and
- Description of how the participation of society was promoted, including whether stakeholders outside of government were consulted and involved in the monitoring and evaluation processes.

The reports on implementation of previous strategy for the years 2015-2018 are systematically published on Government's website<sup>2</sup> New monitoring system will be developed in cooperation with NGOs and will be conducted in a short period

The draft strategy envisages, that the effectiveness of implementation of the Anti-Corruption Strategy and the sectoral programmes will be ensured through the introduction of monitoring and

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<sup>1</sup> <https://www.e-draft.am/en/projects/1439>

<sup>2</sup> <https://anti-corruption.gov.am>

evaluation system.

*The Government of the Republic of Armenia attaches importance to the introduction of public, transparent and innovative monitoring and evaluation system based on active participation of the society, designed for the implementation of Anti-Corruption Strategy. The monitoring and evaluation system of the Anti-Corruption Strategy will have its aim of increasing the level of transparency and accountability in public administration system which may be achieved through the measures proposed under current Anti-Corruption Strategy, through the exigency of civil society actors inclined to have corruption-free public administration and those supplied with knowledge and capacities, as well as through their participation in the implementation of the Anti-Corruption Strategy. As regards the introduction of monitoring and evaluation system of the Anti-Corruption Strategy, in addition to the engagement of civil society, importance will be attached also to the establishment of an institutional structure, monitoring and evaluation methods and indicators, as well as to the ongoing building of monitoring and evaluation capacities.*

*Currently, concrete targets, indicators and baselines are being developed, in order to make the monitoring process more effective.*

*The outcomes of implementation of the Anti-Corruption Strategy must be published on quarterly and annual basis through the preparation of monitoring reports.*

**2. Please outline the actions required to ensure or improve the implementation of the measures described above and any specific challenges you might be facing in this respect.**

**Examples of the actions required to ensure or improve the implementation of the measures described above and challenges States parties and signatories may face include:**

**a) Development and Implementation Process**

- **Description of challenges encountered in the development and implementation process, particularly in terms of effectiveness, coordination and impact in both urban and rural areas, and steps that were taken, if any, to address these challenges;**
- **Reports, studies, statistics or any other relevant information which illustrates the measures the State party has taken to effectively implement this provision;**
- **Anti-corruption policy documents (strategy, action plan or other policies) or other documents containing anti-corruption policies;**
- **Government regulations, decrees or similar decisions establishing coordination structures and/or procedures; and**
- **Examples of the operation of the mechanisms for inter-institutional coordination.**

*In terms of challenges it should be highlighted, that the main challenge was related to the monitoring and assessment of effectiveness of the measures implemented. The four years of*

*operation of the latter, the responsible state bodies though have submitted, on a regular basis, reports on the anti-corruption measures implemented thereby, nevertheless given the absence of precise indicators no comprehensive examination of these reports or assessment of the level of implementation of the measures, on a regular basis, was possible to carry out*

*The active participation of all interested parties is expected in overcoming problems and challenges set forth in the Strategy and its Implementation Action Plan, which serves as a guarantee of success to be registered under the Strategy*

*Public Opinion Surveys have been conducted for the periods July 23-August 15<sup>3</sup> and October 9-29, 2018<sup>4</sup> in order measure the level of corruption, the effectiveness of implemented measures and public trust toward new Government. According to the results of the surveys it can be concluded that corruption emerged as number one challenge that prevents Armenia from becoming a fully democratic society. The participants believe velvet revolution is a turning point for Armenia to move in the right direction. Only when corruption is eradicated, Armenians will believe the country is becoming democratic. Impunity is one of the major issues in combating corruption. People would like to see the corrupt actors held accountable and the fight against corruption administered fairly and consistently. Some respondents are focused on the return of the stolen money and on how the government plans to spend it. The army, police, courts and education system were seen as highly corrupt institutions. "Cleansing" is a frequently used word to describe the essence of the anti-corruption reform. People believe the government has already made tangible steps in this direction at higher levels, but they expect similar change to happen at local, community level as well. Young people are especially concerned about nepotism and corruption in hiring processes. Participants would like to see more awareness-raising about the effects of corruption and stress the need for more transparency in handling corruption cases. The results of the surveys are taken into account in the process of development of anti-corruption policy.*

*As regards to the Anti-corruption policy documents (strategy, action plan or other policies) or other documents containing anti-corruption policies, it should be highlighted that within the point 1, the main policy documents have been already mentioned*

*Concerning Government regulations, decrees or similar decisions establishing coordination*

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<sup>3</sup> [https://www.iri.org/sites/default/files/2018.10.9\\_armenia\\_poll\\_presentation.pdf](https://www.iri.org/sites/default/files/2018.10.9_armenia_poll_presentation.pdf)

<sup>4</sup> [https://www.iri.org/sites/default/files/2018.11.23\\_armenia\\_poll.pdf](https://www.iri.org/sites/default/files/2018.11.23_armenia_poll.pdf)

*structures and/or procedures it should be highlighted that the Governmental Decision N165-N of February 19, 2015 on "Establishing the Anti-Corruption Council and Expert task force, on approving the composition of the council and rules of procedure for the council, expert task force and anti-corruption programs monitoring division of the staff of the Government of the Republic of Armenia" provides for monitoring and coordination mechanisms of the Anti-corruption strategy and Action plans implementation including a set of performance indicators and the use of surveys and inputs from non-governmental organizations. The Anti-Corruption Programmes Monitoring Division at the Prime Minister's Office is responsible for drafting monitoring reports on the implementation of the the Anti-Corruption Strategy and Action Plan The experts have been selected and work on daily basis The experts provide necessary contribution to the division and ensure the fulfillment of the tasks mentioned Moreover, the monitoring mechanisms have been already developed.*

*As a core example of the operation of the mechanisms for inter-institutional coordination it should be underlined the development of sectoral anti-corruption action plans which were developed with participation of both Sectoral Ministries, Government staff, Ministry of Justice and NGOs*

**b) Monitoring and Evaluation**

- Progress reports on the implementation and/or impact of national anti-corruption strategies, action plans and/or policies;
- Description of challenges in the development, data collection and/or analysis of indicators to evaluate the implementation of relevant policies and their impact on the prevention and detection of corruption;
- Evaluation reports of the impact and effectiveness of measures taken to prevent and detect corruption;
- Public surveys of the perceived and experienced extent of corruption in various sectors; and,
- Risk assessments of areas or sectors particularly susceptible to corruption.

*The reports on implementation of previous strategy for the years 2015-2018 are systematically published on Government's website<sup>5</sup>.*

*As it was already mentioned the main challenge was related to the monitoring and assessment*

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<sup>5</sup> <https://anti-corruption.gov.am>

*of effectiveness of the measures implemented. The four years of operation of the latter the responsible state bodies though have submitted, on a regular basis, reports on the anti-corruption measures implemented thereby, nevertheless given the absence of precise indicators no comprehensive examination of these reports or assessment of the level of implementation of the measures, on a regular basis, was possible to carry out*

*In 2018, the Ministry of Justice organized surveys to clarify the attitude of society to whistleblowing and their awareness about the relevant regulations. Over 200 people in Yerevan and cities of Araratsoin marz participated in the survey. The survey showed a low level of awareness on whistleblowing legislation and lack of willingness to report corruption. Accordingly, meeting with stakeholders, civil society representatives were organized to determine paths for solution of issues raised. For this reason the Ministry of Justice (in the scope of cooperation with UK government) organizes special public campaign to raise public awareness on whistleblowing protection mechanisms and to encourage citizens to report corruption and related offence.*

*Based on the risk assessments conducted in the process of developing the strategy for 2015-2018 it was revealed that the main sector prompt to corruption were education, police, healthcare and state revenue collection. For the abovementioned reasons, the experts have been selected and together with relevant state bodies sectoral Action plans on the basis of conducted risk assessments have developed. These sectoral action plans were discussed during the sitting of the Anti-Corruption Council, on 26.08.2017, 13.10.2017. Afterwards, the action plans were adopted by the RA Government on 18.01.2018 and are being implemented*

### **3.**

**Please describe any lessons learned in the development, evaluation and impact of anti-corruption policies or strategies.**

**States parties and signatories are encouraged to provide a description of lessons learned in the following: a) the development and implementation of anti-corruption policies or strategies; and b) the monitoring and evaluation of progress made in the implementation of anti-corruption policies and strategies, including their actual or perceived impact.**

*While talking about the main lesson learned in the development, evaluation and impact of anti-corruption policies or strategies, it should be highlighted that the strategies shall be evidence based, shall include concrete targets and indicators in order to ensure effective implementation*

*and monitoring. And overall, no matter how well developed is the policy, the core issue is the political will of implementing that policy.*

**4. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?**

**States parties and signatories are encouraged to provide a description of any such assistance already being provided, including donor information.**

*The main required technical assistance for this moment is the development of an effective monitoring mechanisms for Anti-Corruption strategy and its implementation action plan*