



# CORRUPTION AND ANTI-CORRUPTION IN THE WESTERN BALKANS

September 11, 2020

Doc.dr.sc.Dr.h.c.Sunčana Roksandić  
Ambassador Dr. Ugješa Ugi Zvekic

# Pledges

- The Berlin Process (2014): the aim of facilitating regional cooperation among the countries of the Western Balkans and boosting European integration and security (WB and EU).
- Annual Summits since then with the objective of working together to achieve greater security, stability, integrity and prosperity in the region. **Fighting corruption is among the priorities.**
- Berlin Process at the 2017 Trieste summit: a joint declaration by the Chair and the governments of the Western Balkan countries on a common commitment to the fight against corruption. The six countries in the Western Balkans\* committed to adopt the Regional Anti-Corruption Initiative's International Treaty on Exchange of Data for the Verification of Asset Declarations.

In July 2018 the Western Balkan countries (all except Serbia, which signed the pledges in 2019) stated their continuing commitment to the fight against corruption by introducing anti-corruption pledges.

They were drafted on the basis of outcomes of the 2016 London Anti-Corruption Summit, the first Global Declaration against Corruption, Group of States against Corruption (GRECO) recommendations and EU Commission accession progress recommendations.

# SOURCES

- Information and assessments made by selected national experts from academia, NGOs and investigative journalism.
- Documentation related to each of the anti-corruption pledged items: government sources, media and research reports, interviews with government officials, judiciary and civil society representatives.
- Critical description and analysis of the phenomenology and few 'organized corruption' cases.
- A thorough analysis of the most relevant international assessments (**EU; GRECO; UNODC; Moneyval**) the anti-corruption achievements and problems in the regions in the last five years.

## **National assessments**

Albania

Bosnia and Herzegovina

Kosovo

Montenegro

North Macedonia

Serbia

# LEGISLATION

- Most legislation is in line with UNCAC and EU acquis.
- Yet, there are still deficiencies and loopholes as in:
  - Access to and transparency of public information; money laundering; financing of political parties and electoral campaigns; public procurement; private sector corruption, conflict of interest and illicit enrichment; beneficial ownership.
- It is being ‘internationally inspired’ and reactive rather than proactive and with little if any public debate.
- The regional legislative picture is much better than some other components of the anti-corruption landscape. In other words, what exists on paper is usually better than what is done in practice.

# GOVERNMENT RESPONSES TO CORRUPTION: Strategy and Anti-Corruption Bodies.

- All governments in the Western Balkans declared their full commitment to fighting corruption in various fora, in various political declarations and in particular in the relevant instruments related to the process of EU accession.
- All have adopted anti-corruption strategies but their updating and evaluation are not yet achieved.
- All have established anti-corruption bodies under different names and with somewhat different mandates. All have pledged for their independence. These bodies have undergone a number of transformations and have been the subject of political interference and influence.

# ORGANIZED CORRUPTION CASES: MAIN FEATURES

Cases of high-level and organized corruption.

- Organized political corruption: political party financing, elections and bribery of the judiciary.
- Economic and financial organized corruption: public procurement, privatization and financial crimes.
- Illicit personal enrichment.

# ACTORS

## Politicians:

- Top level political and party leaders
- Members of the Parliament

## Domestic and foreign entrepreneurs:

- Management of public enterprises, business, banks, public funds

Members of the judiciary and criminal justice system

Organized crime

Public administration:  
national and local



# OVERVIEW OF REGIONAL ASSESSMENTS 1

WB showed signs of progress in the past five years but also setbacks (e.g. TI Corruption Perception Index).

Even if the legislation is in place (GRECO, MONEYVAL, EU influence, UNODC), the implementation is not yet effective.

The culture of integrity is not fully developed (see e.g. high profile corruption cases).

# OVERVIEW OF REGIONAL ASSESSMENTS 2

Organized corruption exists in all WB and significant reform is needed for all stakeholders (building integrity, independence and professionalism).

The pledges are repeated through various reports - interconnectivity of the reports (EU accession)

There is a lack of strong political will. Rule of law, fundamental rights and governance must be strengthened. Judicial reforms, the fight against corruption, organized crime and public administration reform need to deliver real results.

# The examples of the weakest anti-corruption pledges are:

- Public procurement
- Beneficial ownership
- Financing of political parties and campaigns
- Whistleblowing protection
- Access to and exchange of information of relevant stakeholders
- Impunity and political protection of suspects and culprits
- Non-independent judiciary and very weak and non-independent anti-corruption agencies
- Still a number of deficiencies in criminal legislation regarding: e.g. illicit enrichment, penal responsibility of legal entities, professionals (lawyers, notaries, financial and accounting consultants), lobbying.
- Asset recovery and confiscation: all Western Balkan countries have very poor results, including asset recovery for economic crimes and corruption.

# GOVERNMENT COMMITMENT AGAINST CORRUPTION

## MORE CREDIBILITY IS NEEDED

Western Balkan leaders must deliver more credibly on the commitment to implement the fundamental reforms required: the rule of law, fighting corruption, strengthening the economy, ensuring the proper functioning of democratic institutions, independent judiciary and public administration, preventing organized crime and organized corruption; sanctioning offenders; increasing the role and influence of civil society in anti-crime culture and mobilization, education, public debate, cooperation with the government; regional cooperation and good neighbourly relations.

**Anti-corruption work mainstreamed: rule of law, economic growth and social convergence.**



# THANK YOU

## Contact

[secretariat@globalinitiative.net](mailto:secretariat@globalinitiative.net)

[suncana.roksandic@pravo.hr](mailto:suncana.roksandic@pravo.hr)

[ugi.zvekic@globalinitiative.net](mailto:ugi.zvekic@globalinitiative.net)