

Curbing Political Corruption: Anticorruption as Revolution
An Account of the Sinaia 13-15 October 2006 Meeting

Summary:

On Saturday, Oct. 14 2006, following the conference with the title “Curbing Political Corruption: Anticorruption as Revolution” organized by the Romanian Academic Society (SAR) with support from Friedrich Ebert Stiftung, National Endowment for Democracy and CEE Trust, a regional network of organizations committed to fighting political corruption was set up with the name of *East European Integrity Network* (EEIN). The decision to initiate such a network was taken by participant NGOs from the Western Balkans countries and the Black Sea Region. The goals of the network are specific and limited in time. The network seeks to transfer best practice, logistics and support for domestic coalitions that would initiate high-profile exposure campaigns of political corruption. The goal is to create in each and every country a ‘breakthrough’ on the model of the Romanian Coalition for a Clean Parliament in 2004, in other words, a change of the political norms of integrity accepted by both politicians and society on which to build afterwards through more customary programming (such as capacity building for law enforcement, adoption of new laws, etc).

The conference consisted of 5 panels as following: a panel to evaluate the view of the donor agencies on the impact of anticorruption policies in countries of Western Balkans and East Europe which involved representatives from the World Bank, European Parliament, GRECO, and Stability Pact – Anticorruption Initiative (SPAI); two panels to assess the situation of political corruption and the capacity of local civil society to fight it with NGO representatives from Albania, Bulgaria, Croatia, Georgia, Macedonia, Moldova, Montenegro, Serbia, Ukraine; a panel to present the view of the anticorruption officials with participation from Stability Pact Anticorruption Initiative, from the Croatian Working Group for Developing the National Anticorruption Strategy, Macedonian State Commission for Prevention of Corruption, as well as from the Romanian Ministry of Justice; finally, the last panel with the aim of evaluating the interest and capacity of the participating NGOs to adhere to the regional integrity network EEIN.

In the next pages you will find the main conclusions of the conference, the story of the Romanian Coalition for a Clean Parliament (Appendix 1), and the organizations which signed up as members of the EEIN (Appendix 2).

CONCLUSIONS:

The main conclusion of the panels was that the lack of integrity within the political structures of the countries at the analyzed regional level is the main driver of the lack of impact of the anticorruption policies. This conclusion was derived from several examples such as the lack of coherent and effective anticorruption policies regarding corruption at top level of public authorities and the discriminatory enforcement of anticorruption regulations which overwhelmingly favor politicians and high level officials. The panelists also pointed that corruption in the region should be construed differently from the understanding of corruption in established democracies. The distinction was that while in the latter case corruption is an accidental phenomenon whereby some individual officials are incidentally captured by illegitimate economic interests, in the former case it is the state which is an illegitimate actor in economic affairs, providing for and protecting the political and business elites, usually hard to tell apart. The consequence of this distinction is that systemic corruption in countries operating on the basis of particularism cannot be curbed by anticorruption strategies from countries where the norm for government is accountability and integrity and one has to pursue only occasional infringements.

The following points of view were highlighted by the country representatives:

Mrs. Alina Mungiu Pippidi (AMP) pointed that the necessary period of time for the set up and function of the coalition should be no more than one year. Also, she opined that such a coalition should not be initiated in violent political environments. Mrs. AMP as well as Mr. Mircea Toma (member of the Romanian Coalition for a Clean Parliament - RCCP) pointed that such a coalition should benefit from the presence of an NGO specialized in strategic litigation which should provide the legal screening of the coalition activity in order to prevent from and to defend in slander actions.

BULGARIA:

In Bulgaria, Mr. Vasil Kadrinov, assistant of European Parliamentarian Els de Groen (present at the conference) pointed that there is an informal coalition in Bulgaria made of NGOs and media outlets which are committed to setting up a Coalition for a Clean European Parliament whereby the Bulgarian candidates to the European Parliament should be screened for integrity based on the criteria employed by the RCCP in 2004. The speaker pointed out that this initiative will have the support of some of the European parliamentarians. Finally, the speaker pointed that in Bulgaria there's no law on lustration, which makes it difficult to use the criterion on the secret police connection of the candidates to the European Parliament. Finally, Mr. Kadrinov invited Mrs. AMP to the roundtable the informal Bulgarian coalition will organize in Sofia on December 6th. The coalition is led by George C. Marshall Association which would undertake the task of further coalition/building. Present at the debate was also Mr. Alex Stoyanov from Coalition 2000 who stated that such an action should also have the endorsement of this coalition.

MUNTENEGRO:

In Montenegro, Mrs. Vania Calovic from the Network for the Affirmation of the NGO Sector remarked that, given the recent separation of Montenegro from Serbia, the nationalist agenda is very important political topic, while corruption and the fight against corruption is a sided topic on the public agenda, which poses a difficulty in setting up an effective anticorruption coalition. Another impediment to such a coalition is the lack of a large pool of investigative journalists.

Zlatko Vujovic from the Monitoring Center estimated that such a coalition would be accused of political partisanship by the political parties and therefore there's need for a strong international support for the coalition so that it be able to succeed. Mircea Toma proposed that in such instances the coalition should benefit from the support of the regional network which should send representatives to the local coalition in order to support the idea of an objective approach. Finally, Mr. Vujovic declared that his organization supports the set up of a coalition in Montenegro for the future general and local elections.

SERBIA:

The representative of the Serbian Fund for an Open Society - Mr. Miodrag Milosavljevic - indicated that the Fund is very interested in supporting a similar project in Serbia, where there is already a coalition of NGOs which worked for the adoption of an act for the free access to public information. The Serbian Fund for an Open Society thinks that the existing coalition needs to be preserved and such a project would be the best fit one for the coalition. Mr. Milosavljevic pointed that general and local elections are very close in Serbia and so there's little time to organize such a coalition with effective results. However, discussants highlighted that there's a possibility of using the criterion of the migrating politicians to the coming elections, because this criterion is not very time consuming. Open Society Fund Serbia invited SAR's representatives to a meeting in early December with the Serbian prospective coalition.

MACEDONIA:

Mr. Semsedin Yasar from *Analitica* pointed that his organization is interested in implementing a similar project. However, he sees a couple of impediments to this: the fragmentation of the Macedonian civil society and that possibility that the political parties accuse the NGOs as being politically biased.

CROATIA:

Munir Podumljak, president of the Partnership For Social Development Anti-Corruption Program (PSD), stated he wants to join the network and that his organization is ready to implement the program in Croatia, where general elections are to be held in late 2007 or early 2008. PSD will benefit in implementing the program from its membership in a network of 9 NGOs called "Bura" from 8 different Croatian cities. This network is going to implement a program entitled "Civil Society Anti-Corruption Response" which is also targeting elections as a period for advocacy campaign for a change in the conflict of interest legislation.

ALBANIA:

Mr. Ditmir Bushati from the Agenda Institute in Albania welcomed the idea of the network and the organization of a similar coalition in his country. According to his opinion, such a coalition would touch to the real hart of corruption in Albania and would set up the necessary moral standards. However, he sees one impediment related to the fragmentation of the Albanian civil society and the difficulty in finding impartial organizations. The Albanian Institute for International Studies, represented by Mr. Enri Hide, also welcomed the idea of the creation of a regional integrity network and of expanding the Romanian project for a clean parliament to Albania.

MOLDOVA:

Mr. Radu Gorincioi from the Captes Center pointed that in Moldova there is a coalition initiated by the government which would make an impediment for another coalition. There are also difficulties in getting the media into such a project. There's also fear for retaliations against the initiators of such a coalition in Moldova. However, he welcomed the idea of a regional network, as well as the idea of organizing a coalition for political integrity for the coming elections.

GEORGIA:

In Georgia, Mrs. Tamuna Karosanidze from TI Georgia remarked that her organization is willing to implement the project. However, the impediment in Georgia is that all civil society is perceived as partisan and that may diminish the impact of such a coalition.

UKRAINE:

Lyubomyr Pokotylo from the US-Ukraine Foundation agreed with the idea of a regional integrity network and spoke of the existing infrastructure of coalitions, NGOs and media outlets and the god cooperation among them regarding anticorruption and educational projects. Sergii Kokiziuk from the Center for Ukrainian Reform Education (CURE) adhered to the idea of a regional coalition, and gave as a good example the creation of an independent coalition of media outlets in Ukraine before the elections in 2005 which helped bring independent information to the voters. SAR's representatives were invited in Ukraine to meet prospective coalition members.

APPENDIX 1

The story of the Romanian Coalition for a Clean Parliament
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The Coalition for a Clean Parliament

This report is by Alina Mungiu-Pippidi, president of the Romanian Academic Society, who heads the Coalition for a Clean Parliament.

On the occasion of the legislative and presidential elections in November and December 2004, Romanian civil society organized itself for the first time into a broad coalition for integrity in politics: the Coalition for a Clean Parliament (CCP). Frustrated by the government's lack of effectiveness in fighting large-scale corruption, civil society took matters into its own hands.

The CCP first determined the criteria that would make a candidate unfit for a clean parliament. These criteria were: 1) having repeatedly shifted from one political party to another in search of personal profit; 2) having been accused of corruption on the basis of published and verifiable evidence; 3) having been exposed as an agent of the Securitate (Ceașescu's former secret service); 4) being the owner of a private firm with important tax arrears to the state budget; 5) being unable to account for the discrepancy between one's officially stated assets and one's income; 6) turning a profit from conflicts of interest involving one's public position. The second step was to discuss these criteria with the leadership of the political parties represented in the Parliament. The most important ones—the Social Democratic Party/Humanist Party of Romania coalition (PSD/PUR), the Justice and Truth Alliance (DA), and the Hungarian Democratic Union of Romania (UDMR)—agreed with the criteria and the process that we had designed, and they publicly announced their support for the CCP's campaign.

Our third step was to gather information about the candidates of these parties. We collected material published in the press over the years and researched the websites of various public authorities in charge of financial and commercial matters. Then we double-checked our information. Our fourth step was to draw up lists of those candidates who met one or more of the agreed-upon criteria for being unfit to hold a seat in the future Parliament. The resulting "black lists" were then sent to the political parties, with the request that they re-examine each case and decide whether to withdraw the candidate in question. The CCP also offered to analyze any cases where individual candidates contested its findings. Step five consisted of the withdrawal by the political parties of significant numbers of their initial candidates. Some of the candidates appealed to the CCP, which approved or rejected their appeals and adjusted its lists accordingly. Our last step was to release the final CCP black lists in the form of nearly two million flyers, distributed in most of the 41 counties of Romania. Funding was provided by the Balkan Trust, the Romanian Soros Foundation, and Freedom House.

After the results showed that far more unfit candidates belonged to the ruling PSD than to the opposition, that party denounced the whole procedure and encouraged its candidates to sue Coalition members and ask the courts to stop distribution of the flyers. In public statements and open letters, the progovernment PUR (and its private television station Antena 1) accused the CCP of "conspiracy," calling its members "civic terrorists" and "a bunch of criminals." The PSD and the PUR also asked the Central Electoral Bureau, Romania's highest electoral authority, to ban the CCP flyers, but judges from both the Bureau and the ordinary courts ruled in favor of the CCP. Opponents of the CCP campaign found a more effective tactic, however. In many counties, they circulated fake flyers, using the CCP format but replacing the names of PSD candidates with opposition candidates.

Local media and NGOs did their best to help the CCP campaign. Thanks to the combined efforts of both students and grassroots organizations such as the Civic Alliance and the Pro Democracy Association (APD), nearly two million flyers were distributed in almost every county in Romania. More than two thousand people, from students to union members, participated as volunteers in this campaign.

What were the results of the black-list campaign? The CCP initially documented 143 cases of unfit PSD candidates. Under pressure from civil society, the PSD withdrew about 30 candidates from its electoral lists. The CCP also dropped from the black lists some candidates who appealed its findings, so the final count of unfit PSD and PUR candidates was 95. Among the other black-listed candidates were 10 from the DA (which also withdrew some candidates), 46 from the PRM, and 3 from the UDMR.

A final accounting shows that 98 candidates on the original black lists lost their seats, having been either withdrawn by their parties or defeated by the voters. At the same time, 104 black-listed candidates (mostly from the PSD) won reelection. Measured in this way, the CCP's rate of success was just below 50 percent. On the other hand, the PSD fell from power.

On the downside, while the new president, Traian Băsescu, and the new DA-led government are struggling to find adequate means to fight against systemic corruption, Romanian civil society is saddled with defending itself against four lawsuits for defamation, filed by two former heads of the secret service, a former minister of justice, and a former minister of defense. If Oscar Wilde is right that one should be judged by the quality of one's enemies, then Romanian civil society has made enormous strides.

APPENDIX 2

Organizations members of the newly formed network:

No	Organization	Name of participant	EEIN member	Will initiate domestic coalition
1.	Center for the Study of Democracy, Bulgaria	Alexander Stoyanov	Yes	Immediately
2.	Partnership for Social Development, Croatia	Munir Podumljak	Yes	Immediately
3.	Center for Ukrainian Reform Education, Ukraine	Sergii Kokiziuk	Yes	Yes
4.	Transnational Crime and Corruption Center – Caucasus Office, Georgia	Alexandre Kukhianidze	Yes	Yes
5.	Agenda Institute, Albania	Ditmir Bushati	Yes	Yes
6.	Institute for International Studies, Albania	Enri Hide	Yes	Yes
7.	US-Ukraine Foundation	Lyubomyr Pokotylo	Yes	Yes
8.	MEP assistant – Els de Groen	Vasil Kadrinov	Yes	Yes
9.	George C. Marshall Association, Bulgaria	Maria Dermendzhieva	Yes	Yes
10.	Network for the Affirmation of the NGO Sector – MANS, Montenegro	Vanja Calovic	Yes	Yes
11.	Center of Information , Education, Social Analysis – CAPTES, Moldova	Radu Gorincioi	Yes	Yes
12.	Transparency International, Georgia	Tamuna Karosanidze	Yes	Yes
13.	The Monitoring Center	Zlatko Vujovic	Yes	Yes
14.	Societatea Timisoara	Oscar Berger	Yes	Immediately
15.	Independent Journalism Center	Mihaela Danga	Yes	Immediately