



STABILITY PACT
FOR SOUTH EASTERN EUROPE

ANTICORRUPTION INITIATIVE
INITIATIVE TO FIGHT ORGANIZED CRIME

Summer school for junior magistrates from South Eastern Europe

European Standards in Justice and Home Affairs

Focus area:
**INTERNATIONAL AND REGIONAL COOPERATION IN THE FIGHT
AGAINST CORRUPTION AND ORGANIZED CRIME**

Romania, Bucharest and Sovata, July 2-9, 2006

The event is organized as a joint activity by the Stability Pact and Romanian Ministry of Justice and National Institute for Magistrates with the generous contribution of the US Government, USAID and ABA CEELI





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GENERAL PRESENTATION



I. Background information

The Stability Pact Anti-corruption Initiative (SPAI) was adopted in Sarajevo in February 2000 to address one of the most serious threats to the recovery and development of South East European (SEE) countries. Corruption is highly detrimental to the stability of democratic institutions, discourages foreign direct investment, hampers economic growth, and can undermine the European Union accession process.

SPAI represents a focused forum where coordination and dialogue on the many facets of corruption can take place among the countries of the region and the donor community. SPAI's multidisciplinary approach incorporates issues such as the adoption of international legal instruments, promotion of good governance, strengthening the rule of law, promotion of transparency and integrity in business operations, and development of an active civil society in the fight against corruption.

The Anti-corruption Initiative recognizes the goal of EU integration as the main driving force and incentive for structural reforms in the region, and makes the best use of its resources to support this goal. In all its efforts, the Initiative stresses the importance of achieving practical results and showing the impact of the measures adopted by the SPAI countries.

During the five years of the Anti-corruption Initiative, member states have launched consistent and complex reforms of their institutional and legislative framework aimed at decreasing the levels of corruption and improving the efficiency of their policies.

The rhythm of reforms is now stronger. Romania finalized its European Union (EU) accession negotiations and is expected to join the EU on January 1, 2007. Croatia recently started EU accession negotiations and the other SPAI member countries are moving toward the same goal.

In this context, all of the SPAI member countries have approved national anti-corruption strategies and action plans that underline their political commitment to address the issue of corruption and state capture. Furthermore, their legal frameworks have largely been harmonized with European standards set by international conventions, and sensitive areas are now regulated (e.g., conflict of interest, assets disclosure, free access to information, financing of political parties, public procurement and money laundering). In addition, in each SPAI member country, specialized anti-corruption bodies have been created or are now in the process of being established.

In all these areas, the SEE countries still have a long way to go in implementing this new legislation and in overcoming specific challenges, such as: reform of the judiciary and public administration; the negative perception regarding levels of corruption, both from the public and business communities; the lack of sound projects dealing with education and public awareness raising; the issues of understaffed anti-corruption structures and low salaries; and the important role of preventative anti-corruption measures.

RSLO: Creation of a Regional Anti-corruption Center

In September 2003, the SPAI Steering Group agreed to establish a Regional Secretariat Liaison Office (RSLO) in Sarajevo to promote regional ownership of the initiative and enhance regional capabilities to lead the fight against corruption in SEE. (Initially, SPAI's secretariat functions were



performed by the Council of Europe [COE] and the Organization for Economic Cooperation and Development [OECD]). Six months later, RSLO became operational and it is currently the only center in SEE devoted solely to fighting corruption at the regional level. Staffed by experts from the region, RSLO tailors its activities to directly support the efforts of SPAI countries to meet the standards and requirements related to the Justice and Home Affairs field in the European Union accession process.

RSLO's major focus areas include:

- supporting and enhancing regional cooperation among anti-corruption agencies and institutions involved in anti-corruption;
- promoting the adoption of relevant international anti-corruption standards;
- developing specific training programs, such as regional seminars for judges, prosecutors, investigators, auditors, governmental officials, and police; a summer school for junior staff; and twinning-type activities;
- promoting thematic agendas focused on fighting high-level corruption in vulnerable areas, such as judiciary, public administration, public procurement, privatization, and political party financing;
- facilitating expert networking in all sectors, including government, NGO, business, civil society and mass media; and
- providing a clearinghouse for sharing best practices and exchanging relevant information.

Towards developing a network for specialized young magistrates

Among the challenging reforms that are still under way within the member countries the reform of the judiciary plays a major role. A part of this reform includes specialization of young magistrates in various fields as fighting organized crime, fraud and corruption, intellectual property, protection of human rights etc.

The idea of bringing together junior magistrates from the SPAI countries was for the first time mentioned during the SPAI Chairman official visit to Bucharest in April 2005. During the bilateral meetings with representatives of the Romanian Ministry of Justice and National Institute for Magistrates both parties agreed to initiate a Summer school pilot project for the year 2006.

Furthermore, the Plan for activities in 2006 and 2007, including the Summer School within the RSLO portfolio, was approved during the 9th SPAI Steering Group Meeting organized in November 2005 in Ohrid.

2. Objectives

It is expected that, by attending and completing the courses of the Summer school, junior magistrates from the South Eastern Countries will set the basis for enhanced bilateral and regional cooperation among the judicial branches and raise their awareness towards the standards and requirements of the European Union in the JHA field.

Goal:

- To create an informal network among junior magistrates in the region able to further consolidate the cooperation at bilateral and regional level



Specific objectives:

- provide junior magistrates from the SEE with basic information about the EU accession process and mandatory requirements within the JHA field;
- to design flexible and suitable training modules and curricula based on the needs expressed by the junior magistrates – areas in focus: EU institutional framework in the JHA field, connection between corruption and various forms (shapes) of serious crimes, especially fraud, organized crime, money laundering and terrorism financing;
- enhance regional cooperation capacity by establishing a direct contact among junior magistrates;
- identify legislative loopholes and overlapping procedures and formulate proposals for improving the legislative and institutional framework;
- provide inputs for updating the SPAI Anticorruption Resource Center.

3. Activity brief description

3.1. Time framework

- 3 – 9 July, 2006 ;

3.2. Venues

- Opening day in Bucharest, Romania – National Institute of Magistrates;
- 4 days within the Sovata Training Center for Magistrates.

3.3. Training modules

- International standards in anticorruption – the implementation of the relevant UN, CoE and OECD conventions;
- Anticorruption policies and preventive measures – available tools and best practices;
- EU experience regarding the international judicial cooperation in criminal matters (EUROJUST, European Judicial Network, OLAF, EUROPOL);
- Reform of the judiciary and anticorruption as challenges of the EU accession process.

3.4. Working language:

- All courses will be conducted in English. No translation will be provided.

4. Participants:

Junior magistrates:

- Up to 20 junior magistrates (judges and prosecutors) selected by the SPAI senior representative in cooperation with the relevant authorities – 2 per each project area: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, FYR Macedonia, Moldova, Montenegro, Romania, Serbia, UNMIK – Kosovo.
- The beneficiaries of the scholarship for attending the summer school (one judge and one prosecutor per project area) should have up to 3 years working experience, be fluent in English – written and spoken - and manifest professional interest in gaining knowledge in the area of international judicial cooperation and European standards in fighting corruption and related serious crimes.



Trainers:

- The training modules will benefit of the participation of experts working with relevant governmental and non governmental institutions from Croatia, France, Slovenia, Romania, as well as international organizations involved in the fight against corruption as: UNODC, Council of Europe, OLAF, Stability Pact Anticorruption Initiative etc.
- Permanent supporting team - representatives of the Romanian Ministry of Justice and National Institute of Magistracy.

5. Costs covered by organizers and mode of payment

Organizers will cover the following costs for the participation of the junior magistrates:

- International transport – prepaid tickets for airplane or reimbursement by organizers during the summer school for those traveling by car;
- VISA – to be paid in advance by participants and reimbursed by organizers during the summer school;
- Local transportation: from/to the airport and from Bucharest to Sovata and return.
- Meals and accommodation in Bucharest and Sovata Training Center. No additional per diems (pocket money) will be given to the participants.

6. Organizers:

- Stability Pact
 - Anticorruption Initiative – Regional Secretariat Liaison Office from Sarajevo (financed by USAID through ABA CEELI);
 - Stability Pact Initiative against Organized Crime (SPOC) - Regional Secretariat from Bucharest and South East European Prosecutors Advisory Group (SEEPAG).
- National Institute for Magistrates, Romania
- Ministry of Justice, Romania