The State Strategy for Combating Corruption in the Kyrgyz Republic

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FOREWORD

The Kyrgyz Republic’s state bodies, civil society organizations and entrepreneurship circles have been increasingly focusing on the problem of corruption. Corruption has become subject to continuous discussion not only in private, mass media but also in higher bodies of state power. Obviously corruption in Kyrgyzstan is the phenomenon, which has a negative impact on all the fields of public life, and needs to be given a thorough study, specific approach and immediate counteraction.

Negative impact of corruption on socio-economic development, combating poverty and undermining public confidence in democratic institutions necessitate nationwide anticorruption policy development, which should become the means of state bodies’ and civil society’s efforts consolidation. This strategy is a program document of anticorruption policy setting its basic principles and approaches.

The developed actions are targeted at effective and efficient prevention, detection and suppression of corruption as well as organization of efficient fight against it. The strategy envisages active international cooperation and coordination of combating corruption with international organizations. Combating corruption is a long term objective and requires strong will from political leadership, with a view to reach the consensus among all the sane public forces.

This Strategy is a permanently updated document with its contents to be necessarily changed and supplemented depending on priorities set before the country and new data on the condition of corruption.

I. INTRODUCTION

The Definition of Corruption

Corruption is primarily a social phenomenon, which is often manifested as a specific offence but in general cannot be fully encompassed by definitions of
criminal law. That is why the Strategy views corruption in its broadest sense as any use of authoritative powers or service position to suit one’s own ends. This formulation agrees with a working definition offered by the interdisciplinary group for corruption under the Council of Europe: “corruption is bribery or any other behavior of individuals charged with duties in Government or private sector, which results in infringement of the duties charged to them as part of their positions and aims at receiving any illegal benefits for themselves and others”.

General Approach to Combating Corruption

Efficient actions of combating corruption will be developed according to its specific types. The basic method of combating suggests detection and elimination of the existing conditions favoring corruption and suppression of efforts to create conditions, which may result in corruption. The Government policy for combating corruption will be based on that anticorruption actions as a specially designed mechanism of restrictions will be incorporated in daily work of Government bodies and will be accomplished by them on a regular basis.

An anticorruption body will be established in the Kyrgyz Republic with a view to combat large-scale corruption in the country and to consolidate anticorruption efforts of the Government, civil society, business and international organizations. The law enforcement structures existing in the Kyrgyz Republic fail to cope with the scope of corruption basically due to disintegration of their efforts and emphasis on combating consequences of corruption. As far as the goals and objectives of the established body it has concentrated on actions targeted at prevention of corruption including: anticorruption policy development, control over accomplishment of anticorruption actions. In the future it will have in addition some specific means of responding to corruption crimes, including authority to investigate crimes and confiscate proceeds of crime derived from corruption. Activity of the anticorruption body will be based on principles of openness and transparency, and obligatory control of the civil society. In addition, financial and organizational independence of the anticorruption body will be provided. Public support is one of the key elements of combating corruption. That is why, the Strategy incorporates actions of gaining public support as an integral component of any anticorruption measures. The repression of corruption crimes still remains a part of anticorruption combat as the Government is obliged to respond to any violations of the law. In this regard particular attention will be paid to strengthening and improvement of legal fundamentals of combating corruption, proficiency improvement for law enforcement officers, proper financial and technical support of judiciary and law enforcement.

Corruption prevalence scale and its areas assessment will be regularly conducted to substantiate anticorruption Strategy actions.

Damage from Corruption

The problem of corruption is not that somebody gets an opportunity to bypass existing barriers for illegal awards, but the fact that in this much harm is done to the whole system of governance and the society. Overwhelming and at the same time tiny corruption in schools, higher educational institutions and
hospitals is likely to result in consequences more dangerous for the whole country, primarily for the moral and physical health of nation rather than larger embezzlements in distributing Government contracts. Corruption as a phenomenon has primary benefits and its beneficiaries, therefore first of all, the above factors have to be revealed. Corruption is a response to some failures in operation of existing administration mechanisms in the form of using their drawbacks, intended distortion or substitution of administration mechanisms necessary for the Government and the society for their corruption forms.
Thus, the shadow economy is partially an attempt to step aside from excessive Government’s regulation, while abuses at land auctions indicate lack of civilized land market. Below are only some of economic, social and political consequences of corruption, which eventually might be expanded. Economic Consequences
Competitive environment deteriorates and as a consequence the market gets wrong signals when the more successful are those who have high rank protectors or capabilities and willingness to pay off from Government but not those who meet the demand in the best way possible.
Shadow economy grows as a method of escaping from pressure of the “captured state”.
National budget ceases to be an instrument of governance and becomes a distribution mechanism for corruption financial flows.
Prices for goods and services grow, in which sellers have to provide for informal payments.
Almost no increase in budget revenues compared to potential capabilities.
Social Consequences
Social inequality is aggravated as the poor because of limited opportunities, have lesser access to basic social services (free education, health care, social and pension support).
Labour resources deteriorate sharply, the significance of education and social services is leveled.
Legal nihilism extends, which in its turn becomes a nutritive environment for corruption.
Double morality and behavioral standards become common.
Political Consequences
The Government loses its public support due to mistrust of population in corrupted functionaries.
Ideas, approaches and principles that authorities declare but never implement are discredited in people’s minds (e.g. openness and transparency).
Public administration is transferred to groupings, which run the country exclusively for the sake of their own interests.
Investors have less confidence and the reputation of the country on a World’s scale fades away.

Corruption Damage Assessment
It is difficult to make a qualitative analysis of damage from corruption.
According to experts in other countries Government orders and procurements, as a rule, become 30% more expensive due to corruption. Informal payments often make from 10% to 15% of cost of goods and services. There’s currently no clear technique of qualitative analysis of damage from corruption in the Kyrgyz Republic and this impedes development of adequate counter actions. Design of a specific technique for corruption damage assessment in Kyrgyz Republic will be one of tasks of the established state body for combating corruption.

II. SITUATION ANALYSIS

The situation analysis for corruption in the country is to be conducted to develop priorities and specific anticorruption policy actions in the Kyrgyz Republic. The situation analysis and its following monitoring is one of the basic functions of authorized anticorruption body. The situation analysis will include:
  Assessment of existing condition of corruption in the country;
  Assessment of critical factors largely favoring corruption at present;
  Analysis of anticorruption actions accomplishment;
  Condition of legislative and institutional environment for combating corruption in our country;
  Resource assessment.

Corruption Assessment

At present there’s no single and universal assessment technique for corruption. Several types of research will be applied to make assessment of corruption in Kyrgyzstan:
  1. Expert opinions;
  2. Integral indexes comprising several expert opinions;
  3. Polls.

Assessment will be conducted regularly by an authorized anticorruption Government body with Governmental and non-Governmental structures and non-commercial research organizations.

The latest mass poll for the degree of corruption was conducted in the Kyrgyz Republic in 2002 and its findings are obviously outdated. As far as international assessments according to the well-known corruption perception index of Transparency International Kyrgyzstan was # 118 in the world in 2003 (out of 133 countries) and #126 in 2004 (out of 146 countries) being in a group of countries with higher degree of corruption (see Table 1).

Table 1. Corruption Perception Index (CPI) in member-countries of anticorruption network for economies in transition of OECD for 2003-2004

<table>
<thead>
<tr>
<th>Country</th>
<th>Country Rate CPI</th>
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<tr>
<td>2003</td>
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<td>2003</td>
<td>2004</td>
</tr>
<tr>
<td>Armenia</td>
<td>78 82</td>
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</table>
Russia 87 96 2.7 2.8  
Kazakhstan 101 125 2.4 2.2  
Kyrgyzstan 118 126 2.1 2.2  
Ukraine 111 129 2.3 2.2  
Georgia 127 136 1.8 2.0  
Tajikistan 128 138 1.8 2.0  
Azerbaijan 125 140 1.8 1.9  

As the Strategy implementation goes on this index will be used as a reference point. However some alternative techniques will as well be used for reliable assessment as for instance scope of damage from corruption in cash equivalent, which would make it possible to make a qualitative assessment of its degree in portions of GDP.

Factors Originating Corruption

Several factors originating corruption in the country are low living standards of population, weakness of Government institutions, unemployment, backwardness of civil society institutions etc. However it is important for the successful Strategy implementation to distinguish key factors, through influence on which it’s possible to sharply and substantially reduce conditions for corruption to emerge.

The Government bodies’ performance analysis in the Kyrgyz Republic including functional analysis conducted as part of administrative reform, actions on economy deregulation testify to the fact that corruption has become an integral part of state governance mechanism. Most of state governance bodies and Government institutions perform their functions exclusively in exchange of legitimate (approved by the Government) and illegitimate payments from population and economic facilities. The public service has become the source of illegitimate revenues but not the activity for public benefit.

It is obvious that excessive and poorly regulated interference of Government with work of economic facilities creates more opportunities for functionaries in regulating agencies to abuse their powers. Low (even less than living minimum) salaries of public employees, has become an additional stimulus for them to look for collateral earnings in the form of bribes, gifts for accomplishment or non-accomplishment of office duties. That is why reducing Government regulatory functions and putting them in order must become actions of vital importance along with the salary reform for public employees with a view to its substantial increase and change in scale of tariffs, which, however, has to necessarily go along with the reform in system of hiring, training and appointments.

Actions of Combating Corruption Undertaken Earlier

The Kyrgyz Republic has several times made efforts to systematize combating corruption, but they were formal and declarative. Principal disadvantage of earlier accepted anticorruption actions was lack of specialized coordination and implementation monitoring body and as a consequence it was impossible to say to which extent certain actions were
accomplished. The situation began to improve by 2003. Combating corruption drew attention of international community. In December 2003 the Kyrgyz Republic was the first CIS country and the only one in the region to have signed the UN Convention against corruption, which, however, has not been yet ratified by the Kyrgyz Parliament. In 2004 for the first time a mission of experts from OSCE, UNDP and USAID in good governance/combating corruption as well as OECD group of experts conducted a review of legislative and institutional frameworks of the Kyrgyz Republic for combating corruption. The recommendations of foreign experts greatly contributed to the formation of Kyrgyzstan’s anticorruption strategy with increased involvement of the public and international community.

Legislative and Institutional Framework for Combating Corruption

The legislative and institutional framework of Kyrgyz Republic for combating corruption has been studied well enough in detail to date by local and foreign specialists. This matter was worked through especially in detail by OECD experts within the framework of the Istanbul Anti-Corruption Action Plan. Our country has a definite legislative framework for combating corruption. In particular the Laws “On combating corruption”, “On public service” and “On public procurements” were adopted in 2003-2004. The Law “On declaring and publishing information on incomes, liabilities and property of individuals holding political and other special Government positions as well as their close relatives” and the Decree of President of Kyrgyz Republic “On ethics of public employees” have come into force. However experts say the Law “On combating corruption” is declarative, which prevents it from becoming an effective anticorruption mechanism. The commissions for ethics established in every Government body did not become efficient anticorruption mechanisms either for they do their job nominally and opaquely.

The legislation of Kyrgyz Republic does not envisage special methods of detecting and investigating corruption crimes. International experts believe that the system of detecting, investigating and criminal prosecution of corruption and corruption related crimes is excessively complicated and fragmented.

Besides there are many laws on openness of information, prosecution for laundering of criminal revenues, financing of terrorism and other issues, which the Kyrgyz Republic is going to adopt for strengthening legal and institutional frameworks of combating corruption.

There hardly exists an institutional framework of combating corruption. The criminally-procedural code sets a single framework for investigation of all types of crimes with corruption crimes inclusive. Criminal cases investigation is conducted by investigators of Prosecutor’s Office, law enforcement bodies, National Security Service, Financial Police, Department of Customs Service, Agency for Drug Control and criminally-executive system of Ministry of Justice. Although some law enforcement bodies have established subdivisions specializing in combating corruption crimes their job is only a part of what is done by relevant ministries and agencies.

It’s worth mentioning that law enforcement bodies within their competence do
not deal with development and accomplishment of preventive actions on combating corruption as it is not a priority of their activities. In practice they deal with such specific delinquencies as bribes, abuse of office powers, bribing, which are but consequences of corruption. The Ministry of Interior is an executive and administrative body, which enforces public order, safety of individuals and society and deals with combating crime, while the prosecution offices undertake supervision of accurate and uniform execution of legislative acts and conduct criminal prosecution and participate in legal proceedings in cases and the order envisaged by the legislation. Thus, there’s been no specialized body yet to be responsible for development and coordination of anticorruption policy implementation. One of actions under this Strategy, therefore, is the establishment of a special anticorruption body in Kyrgyzstan.

III. THE GOALS AND OBJECTIVES OF THE STRATEGY

The goal of anticorruption Strategy is to reduce corruption in the Kyrgyz Republic through elimination of causes originating it, adequate law enforcement measures and creation of intolerant attitude in the society towards corruption through coordination of efforts and means of various Government structures, international donor organizations. The development of relevant technique will be followed by indication of parameters of qualitative and quantitative evaluation of the extent to which the indicated goal has been achieved. In terms of quantity the degree of corruption will be monitored through assessment of damage from corruption in portions of GDP, and qualitatively – through perception of the country’s degree of corruptedness by the public and experts.

The Objectives of the Strategy

• Determine a single, consistent and long term program of combating corruption;
• Determine priority vectors of combating corruption;
• Determine actions and resources for implementation of priorities as well as responsible structures and terms of implementation;
• Set an anticorruption actions implementation monitoring system;
• Create mechanisms of state bodies and institutions’ anticorruption efforts coordination;
• Conduct assessment of anticorruption actions undertaken earlier;
• Develop assessment criteria for corruption in the country.

IV. PRIORITIES

The priority fields of activities under the Strategy have been selected on the criteria of the biggest damage caused by corruption and feasibility of actions in the nearest future. It was taken into account that social and political consequences of corruption are much more dangerous for national security and moral environment in the country than economic consequences. These include reducing regulatory functions of Government and putting them in order as well as the salary reform for public employees. Short- (until end of 2005),
medium- (2005-2007) and long-term (2008 and on) actions have been
developed to ensure the efforts undertaken are consistent and systematic. As
far as the vectors are concerned, then preventive actions and public support
are certain priority for being most effective.

V. ACTIONS BY DIRECTIONS AND FIELDS OF ACTION

All the Strategy actions will be conducted in four directions, which have been
studied in world practice and closely associated with one another:

1. Prevention of corruption;
2. Public support;
3. Investigation of corruption crimes;
4. International cooperation.

Fields of Strategy Actions

It is suggested to emphasize the following fields where corruption has its
specifics and where particular anticorruption actions development is required:

- political activity;
- administration;
- national finance;
- the judiciary, law enforcement and military;
- social development.

In each one of these fields actions have been developed for all the four
directions that need to be undertaken. Thus, the directions represent the
contents of anticorruption work, and the fields where particular anticorruption
actions are being undertaken:

Fields/Directions Prevention of corruption Public support Investigation of
corruption crimes International cooperation

Political corruption
Administrative corruption
Corruption in national finance

Corruption in the judiciary, law enforcement and military
Corruption in the social field

1. Prevention of Corruption

Corruption will be prevented through detection and elimination of conditions
and causes originating and triggering corruption in normative-and-legal acts,
other law-instituting documents as well as in procedures and activities of state
and municipal bodies.
Greater significance is attributed to the formation of negative attitude to
corruption in the society. There will be special training programs developed
and implemented for grown-ups, students, schoolchildren on corruption risks,
ways of counteracting corruption and anticorruption behavior.
1.1 Political Corruption

Prevention of political corruption is carried out in activities of political parties and public associations, pre-election and election activity, promotion of draft laws (lobbying), public and municipal service (especially in staff selection, conflict of interests). The specificity of political corruption is that illegitimate use of political influence as a rule does not entail direct financial reward. For instance, should a political or public figure arrange his relatives on public posts bypassing current procedures it becomes quite evident that his intention is to strengthen his own political position, which may generate “dividends” in future. Political corruption comes into being when there’s no information available on activities of parties and other public associations, lack of public control over conflicts of interests of political and public figures, that is why it will be prevented through maximum of openness and transparency of public and political activity in the Kyrgyz Republic. First of all in this field it is necessary to:

• Ensure the accountability of Central Commission for Election is as open as possible to avoid any opportunities of discriminating some parties or nominees, guarantee the transparency of formation and use of election funds.
• Ensure the publication of annual reports of political parties including reports on sources of formation and use of election funds.

1.2 Administrative Corruption

This kind of corruption is the consequence of abuses in decision making and working procedures by bodies of executive power and local self-governance as well as low morality of some public and municipal employees. It is essential to liquidate conflicts of functions when Government and municipal bodies simultaneously control and fulfill surveillance and provide services and to put in order public regulation procedures, deprive functionaries of opportunities to make arbitrary decisions, depersonalize interaction of public employees with individuals and organizations. Counteraction of administrative corruption will be basically conducted as part of administrative reform, in particular by:

• putting state bodies’ functions in order, including in particular regulatory functions;
• reform in the system of salaries for public and municipal employees;
• improvement of decision-making procedures;
• reform in the system of selection, training and appointment of personnel;
• control over conflict of interests;
• improvement of law-making techniques;
• introduction of mandatory anticorruption expertise of all the laws in force and draft laws put forward by an anticorruption body;
• establishment of a special anticorruption body;
• reduction in administrative barriers;
• precise control and transparency of land issues, real estate transactions, privatizations, rent of public and municipal property;
• establishment of precise sanctions for administrative offences;
• optimization of administratively territorial division.

1.3 Corruption in the Field of National Finance
The state budget is the basic "object" of corruption offences. This section is the concentration of all the actions in state budget design (introduction of the real program budgeting), incomes of the budget (fiscal bodies, public enterprises, joint-stock companies with the Government’s participation), the budget implementation (treasury, ministries and departments, especially regarding public procurements, investment projects implementation) and the control of its implementation (Chamber of accounts and internal audit). Priority preventive actions include:

• Liquidation of special accounts system, out-of-budget funds and special funds in all the Government bodies.
• Regular public hearings of the budget of all levels.
• Publishing reports on budget accomplishments of all levels and findings of Chamber of accounts.
• Encouragement measures for diligent taxpayers.

1.4 Corruption in the Judiciary, Law Enforcement and Military

Specific anticorruption actions to substantially reduce corruption in the judiciary and so-called “structures of force” include: firstly, a complete revision of staff selection system, lustration, revision of internal procedures, reduction of redundant structures with simultaneous financial security improvement of those left, transition to payment of all administrative penalties through the clearing settlement, first of all in traffic police, etc. The following steps are critically important:

• Introduction of prioritized financing of the judicial system.
• Establishment of state duties payment order after consideration of cases.
• Making the military budget and its annual implementation report publicly available.

1.5 Corruption in Social Field

As half the budget expenditures goes to the social field in the Kyrgyz Republic, corruption in public health services, education, social protection is comparable in size to corruption in law enforcement bodies, and as far as the social damage the former considerably exceeds the latter. On the other hand, it is necessary to consider, that changes in this area are possible only alongside with large-scale financial injections, therefore anticorruption actions can produce the effect only postponed in time.

The most productive approach will be the dotted approach based on detection of most socially “harmful” manifestations of corruption in social field and at the beginning to concentrate just exactly on them. For example, it can be: collection of informal payments in public health services, in public educational institutions, arbitrary fixing of pensions and allowances. First of all it is essential to:

• Conduct analysis of working processes in education and public health with a view to detect corruption zones.
• Strictly regulate cash collections in educational institutions and public health services.
• Introduce the system of paying off social expenditures from taxable basis of
taxpayers.

1.6 Public Involvement in Prevention of Corruption

Public involvement is an essential component of all the actions under the Strategy. The Strategy must include actions on activating mass media as the latter is the “natural” enemy of corruption. An important tool for involvement of the public in combating corruption is the development and introduction of anticorruption training courses for adults, students and schoolchildren. Basic methods of corruption prevention promotion will be: constant coverage of preventive measures in mass media, Public campaigns, Day of combating corruption, organizing “hot line” to communicate facts of corruption.

A key step in this field is the introduction of the concept of “public individual” to have functionaries as public individuals restricted in exercising the right to defend honor and dignity during execution of their office duties.

2. Public Support

Corruption in many cases can be prevented if citizens concern more responsibly to exercising their legitimate rights. The public should be informed, first of all, of corruption risk and their rights. The goal of anticorruption education is the formation of such a stereotype of behavior of citizens as when they prefer longer and tiresome but lawful way to the simple decision of a problem by bribing officials. Corruption must be recognized in the society as one of the types of dangerous antisocial behavior.

The following will be done for this goal:
provide regular coverage of anticorruption actions in mass media;
inform the public (consumers, voters, entrepreneurs and other interested individuals) of corruption risks in a specific field;
conduct public hearings, regular and obligatory consultations of civil society organizations before making important decisions, especially as far as state regulation and taxes are concerned.

3. Investigation of Corruption Crimes

Crimes connected to corruption are related to those difficult to prove. As it is often difficult to get direct evidence of fulfilling actions classified as corruption, many countries have criminalized such types of activities as laundry of incomes and other offences often associated with corruption. For instance the legalization of revenues received in a criminal way is viewed as a sign of corruption.

Corruption crimes investigation quality will be improved due to more precise toolkit in the form of the advanced legislation and procedures as well as appropriately trained staff and allocation of necessary resources.

3.1. Investigation of Political Corruption
• Conduct inventory of earlier instituted criminal proceedings connected to corruption in relation to high rank functionaries and make investigation findings publicly available.
• Make corresponding changes to the Criminal Code with criminal liability envisaged for corruption deeds including bribing of foreign functionaries and functionaries of international organizations by extending the concept of “functionary” or by making it a separate type of criminal activity.

3.2 Investigation in the Field of Administrative Corruption

• Make amendments to the Criminal Code and Criminally-Procedural Code concerning the definition of revenues and means of criminal activity to bring the provisions of the two Codes in compliance with one another and the UN Convention Against Corruption.
• Envisage criminal liability for “concealment”, “abuse of powers”, “illegal enrichment” in compliance with their definitions in the UN Convention Against Corruption.

3.3 Investigation in the Field of National Finance

• Conduct investigation of legitimacy and validity of electricity tariffs and financing of power production industry.
• Establish the network of internal audit division within the structure of executive bodies of power to detect facts of corruption and create an opportunity of continuous and free cooperation between agencies of financial control and audit.

3.4 Investigation in the Judiciary, Law Enforcement Bodies and the Military

• Clarify the concepts of crimes connected to corruption in the area of office power abuse.
• Ensure more efficient monitoring and accountability of corruption fact and offences connected to corruption on the basis of coordinated methodology.
• Ensure presenting regular information to the Anticorruption body covering all the fields of public service, law enforcement bodies, prosecution offices and courts.

3.5. Investigation in the Social Field

• Extend the effect of anticorruption legislation to social field employees (doctors, teachers).

4. International Cooperation

International organizations are an important factor with respect to expert and donor support of the developed Strategy. The international community will be actively involved in organization of trainings, seminars and round tables, in providing technical inputs and methodical materials to law enforcement bodies, Government and public organizations.
As part of cooperation with international organizations the Kyrgyz Republic
will continue to interact with corresponding foreign structures, which undertake anticorruption actions and put positive experience of foreign countries in practice of combating corruption, conduct permanent work with anticorruption organizations of the world. To extend mutually beneficial cooperation it is necessary to:

- Ratify UN Convention on combating corruption and bring the Kyrgyz legislation in compliance with its provisions.
- Increase participation in international and regional anticorruption programs, in particular in Istanbul Action Plan of anticorruption network of economies in transition of OECD.
- Share experience regularly with foreign anticorruption structures.

VI. STRATEGY IMPLEMENTATION RISKS

This Strategy cannot be implemented completely under the following conditions:
- Lack of political will at the highest level to implement the Strategy;
- Lack of coordinating Government body with powers of control over Strategy implementation;
- Inclusion of too ambitious actions into the Strategy, which can’t be accomplished;
- Prevalence of legislative and law enforcement measures to the detriment of preventive actions;
- Establishment of inaccessibility areas for effect of anticorruption actions;
- Lack of protection mechanisms for individuals ensuring accomplishment of anticorruption actions;
- Discharge or non-participation of civil society and citizens in general in Strategy implementation and monitoring.

VII. PROVISION OF RESOURCES

The implementation of State Strategy for Combating Corruption will undoubtedly require large financial resources. At the same time the Government’s preparedness to allocate finance for anticorruption actions with budget deficiency and the necessity to finance a big number of social commitments to population is viewed as one of reliable indicators of political will and decisiveness to conduct fight against corruption.

There are two more arguments in favor of the necessity to adequately and timely finance the Strategy: firstly, the damage from corruption, especially direct budget losses caused by no incomes received and embezzlements even on tentative estimations will far exceed the cost of anticorruption actions; secondly, a part of actions may be undertaken within the framework of existing international credit and grant agreements, which means the resources for their implementation are practically at the disposal of Government already.

VIII. MONITORING AND EVALUATION

It is crucially important to develop and implement the system of monitoring and evaluation for successful Strategy implementation. In addition to the
actions developed under the Strategy some results monitoring indicators have already been identified to become an organic part of the Strategy. It is anticipated that the established anticorruption structure will become the evaluation and monitoring body. And the public will conduct monitoring of anticorruption body activities. NGOs and independent institutions will be involved in monitoring and evaluation in order to ensure objectivity and impartiality.

XI. ATTACHMENT 1. STRATEGY IMPLEMENTATION PLAN

The attachment describes the Strategy Implementation Plan, which, as far as its structure, complies with the Strategy itself. The Plan includes actions, expected results, indicators, deadlines, responsible executing officers and partners in implementation of actions. After specific actions have been determined with their cost evaluated an additional column for “Resources” will be incorporated into the chart. Plan is a permanently updated document with its contents to be necessarily changed and supplemented depending on situation in the given field.

X. ATTACHMENT 2: GLOSSARY AND LIST OF ABBREVIATIONS

Anticorruption policy – a system of versatile and consistent measures of Government and society on elimination (minimization) of causes and conditions originating and nourishing corruption in various spheres of life.

Anticorruption body – in this case means any Government institutions with their prime goal being prevention on corruption as well as development, coordination and control of fulfillment of anticorruption measures, strategies and action plans, extension and dissemination of knowledge of corruption prevention issues. In some cases anticorruption bodies are charged with law enforcement functions of investigation into corruption offenses.

Beneficiary – a person who gains profit or other benefits of the activity of third persons.

Capture of state – an opportunity for some individuals or a group of individuals to create legal environment favourable to themselves by illegal influence upon bodies of state power (for instance by bribing, blackmail, use of conflict of interests of functionaries).

Index (in statistics) – a relative value which quantitatively characterizes the development of the aggregate set of nonmeasurable values or part of them. Integral indices are based on other indices and thus are the indices of indices. For instance, Corruption Perception Index is calculated on the basis of several polls, which themselves are the indices.

Corruption perception index – an indicator used by international NGO “Transparency International” to measure up level of corruption for a specific
country. Corruption perception index is a “poll of polls” reflecting perception of state of things with corruption in some countries by businessmen and analysts both foreign and those representing these countries. In 2004 Corruption perception index was calculated on findings from 18 studies presented to Transparency International between 2002 and 2004 by 12 independent research institutions. The index is calculated only for those countries, which have had at least three studies conducted. Many countries could have possibly been included in the number of countries with the highest level of corruption but did not get in the index as there was not enough data for their index calculation.

Corruption – a criminal activity in the sphere of relations within society, which suggests that functionaries exercise the rights and authoritative powers entrusted to them to suit their own ends.

UN Convention Against Corruption – adopted by UN General Assembly on October 31, 2003 and is a universal international legal act containing comprehensive package of actions and rules, which all the countries may use to strengthen their legal standards and systems of state regulation in combating corruption. The Kyrgyz Republic was the first CIS country to have signed the UN Convention Against Corruption on December 10, 2003.

Conflict of interests – Conflict of interests arises in situations where decisions of functionaries may be influenced by their personal interests through taking advantages of their office powers in promotion of personal interests. The conflict of interests results in that functionaries make decisions, which do not necessarily comply with wider interests of the state.

Latent (latin. Latens – hiding) – not being manifested outwardly, inaccessible to outer observation

Lustration (latin. Lustration – purification through sacrifice) – moral, spiritual purification. In the context of Anticorruption Strategy “lustration” is a series of comprehensive legislative measures and practice of preventing individuals earlier convicted of corruption and malfeasance from working in offices of Government bodies and agencies, law enforcement bodies, other important state posts.

Nihilism – [latin. nihil – nothing], the belief that nothing has any value, especially that religious, general values, ideals, legal and moral principles of culture and public life have no value.

Preventive actions (latin. Praeventus – earlier arrival, preceeding, anticipate) – preventing, safeguarding.

Public functionary – any appointed or elected person holding any post in bodies of state power, judiciary and local self-governance bodies, organizations, enterprises, institutions, associations of any type of ownership and authorized by virtue of the post to exercise rights and fulfill duties targeted at ensuring (observation) of legitimate state and/or public interests.

Istanbul Action Plan – during the 5th annual Network of Combating Corruption for transition countries in September 2003 in Istanbul (Turkey) several countries including Armenia, Azerbaijan, Georgia, Russian Federation, Tajikistan and Ukraine gave political approval to the regional Action Plan on Combating Corruption; Kyrgyzstan joined this initiative in November 2003.

Strategy of Combating Corruption – most general action plan setting priorities, consistency and way of comprehensive goal achievement, which is to reduce corruption in the society.

GDP – Gross Domestic Product

Mass media – sources of information and news.

CIS – Commonwealth of Independent States (some of ex-USSR countries)

OSCE – Organization for Security and Cooperation in Europe

OECD – Organization for Economic Cooperation and Development

UNDP – UN Development Program

USAID – United States Agency for International Development

CCE – Central Commission for Elections and Referendums of Kyrgyz Republic