

Introduction

Objectives of the study

A great number of countries around the world have introduced systems of asset declaration for public officials in order to prevent or combat corruption. Many believe that asset declarations can be a powerful tool in this regard; however, the impact of such systems on actual levels of corruption is not well known. This study aims to help furnish a clearer picture by providing an analysis of existing practice in the area of asset declarations of public officials, in particular in former socialist countries in Eastern Europe and Central Asia, and in some OECD member states in Western Europe and North America.

The study begins with policy recommendations for national governments and international organisations engaged in the development, reform and assessment of such systems on a country level. The analysis that follows and case studies that conclude the report provide the basis for those recommendations. Key elements of the systems are reviewed, as are the historical background and objectives that led governments to establish them. The analysis further examines the legal framework of the systems as well as the institutional arrangements for their management. It reviews the categories of public officials and related individuals who are required to submit declarations, as well as the particular information required. Attention is paid to procedures for processing and verifying declared information, and sanctions for violations. Various approaches to public disclosure of the information contained in declarations are also reviewed. Issues of cost-effectiveness and overall usefulness are covered as well. Four case studies are presented – from Lithuania, Romania, Spain and Ukraine – as well as many additional country examples and references.

Methodology

The focus of this study is on countries in Eastern Europe and Central Asia. However, in order to analyse the experience of these countries in a broader international context and to identify trends and offer recommendations of global relevance, available information about other countries and regions has also been examined, including – as mentioned above – some OECD member states in Western Europe and North America. The coverage is vast, and references to regions/country groups are in no way meant to suggest political allegiances.

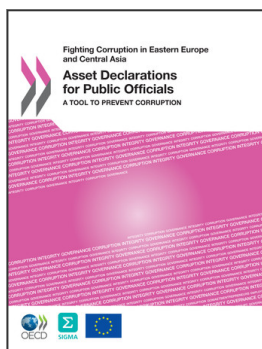
The study draws upon two main kinds of information sources: primary data collection from countries in Eastern Europe and Central Asia, and a review of available literature. To collect country data the ACN Secretariat, together with SIGMA, designed a questionnaire and requested officials in the state bodies responsible for asset declarations to complete them. The questionnaire covered the declaration system's purpose and legal basis as well as the institutional set-up, officials covered, kinds of information to be declared, procedure of declaration, verification of declarations, sanctions for violations, public access, and

system assessment. The questionnaire was completed by 20 countries – Albania, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Georgia, Kazakhstan, Kosovo, Kyrgyzstan, Latvia, Lithuania, Former Yugoslav Republic of Macedonia, Montenegro, Romania, Slovenia, Spain (Catalonia), Tajikistan, and Ukraine. Analysis and tables comparing various systems aimed at covering all 20 countries; however, this was not possible in all cases, as completeness and accuracy of data varied substantially. Data provided in the tables were compiled by the authors based on the answers to questionnaires. Available data for other countries and regions were added for comparison.

The literature review comprised books, comparative studies and assessments of national systems by international organisations, principally the OECD, the Council of Europe's Group of States against Corruption (GRECO) and The World Bank. International online resources, as well as legal texts of particular countries, were also examined.

The study has benefited from discussions at two expert seminars: one organised by the OECD and OSCE in Belgrade, Serbia on 15-16 October 2009; and the other by the OECD on 30 March 2010 in Paris, France. The countries and experts who participated in this project also provided written comments on the final draft. Special efforts were made to co-ordinate this study with a study on asset declarations developed by The World Bank in the framework of the StAR initiative.

Unless stated otherwise, the information in this study refers to the national level only; different provisions and practices may apply on various sub-national levels. Wherever possible, references to various sources are complemented with Internet links. Also unless stated otherwise, all of the links in footnotes were functional as of November 2009.



From:
Asset Declarations for Public Officials
A Tool to Prevent Corruption

Access the complete publication at:
<https://doi.org/10.1787/9789264095281-en>

Please cite this chapter as:

OECD (2011), "Introduction", in *Asset Declarations for Public Officials: A Tool to Prevent Corruption*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/9789264095281-2-en>

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