

# MEMORANDUM OF UNDERSTANDING

CONCERNING

COOPERATION IN FIGHTING CORRUPTION THROUGH  
THE SOUTH EASTERN EUROPEAN ANTI-CORRUPTION INITIATIVE  
(CONSOLIDATED VERSION)

***Disclaimer:** This text combines the Memorandum of Understanding text of April 2007 with the Protocol signed in July 2013.*

*This version is to be used for information purposes only and cannot serve as a legal document. Official documents are held by the Republic of Croatia, who acts as Depositary for this Memorandum of Understanding.*

The Governments of the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the Republic of Macedonia<sup>1</sup>, the Republic of Montenegro, the Republic of Moldova, Romania, and the Republic of Serbia

Hereafter referred to as the "Parties",

**Reaffirming** that regional cooperation is a prerequisite for promoting stability, security and social and economic development in South Eastern Europe, including through cross-border anti-corruption activities,

**Recognizing** that acquiring European Union membership will require increased national and regional efforts within the field of fighting corruption by all countries concerned,

**Recalling** the 2000 Compact and Action Plan of the Regional Anti-Corruption Initiative (RAI), the 2002 London Declaration on fighting organized crime and corruption, the 2003 EU - Western Balkans Thessaloniki declaration, and the 2004 SEECP Joint JHA Declaration,

**Recognizing** the progress made by participating countries in implementing anti-corruption measures, agreed to in the 2005 RAI Ministerial Declaration on 10 Joint Measures to Curb Corruption in South Eastern Europe,

**Acknowledging** that establishing the Regional Anti-Corruption Initiative Secretariat (RAI Secretariat) in October 2003 represents a concrete and visible demonstration of the commitment of the regional states to cooperate and coordinate their fight against corruption in South Eastern Europe,

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<sup>1</sup> EU refers to this country as "the former Yugoslav Republic of Macedonia"

**Recalling** the Conclusions of the Regional Table and Working Table III Meetings held in 2006 in Belgrade and Bucharest, as well as the Decisions of the 10th RAI Steering Group, Belgrade, May 30, 2006 related to the financing of RAI,

Have agreed as follows:

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## **Article 1 - Governance of RAI**

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Parties agree to accept joint responsibility for RAI and to ensure the financial sustainability of the activities of RAI Secretariat.

RAI Steering Group may decide to invite Countries to accede to this MoU including its amendments. It may also decide to invite partners, countries, and organizations as observers to RAI meetings and activities.

Every year a Chair-in-Office for RAI will be appointed from the region by the RAI Steering Group. The first Chair-in-Office will be appointed as soon as possible following the entry into force of the present Memorandum. The Chair-in-office will chair the RAI Steering Group meetings, will ensure overall coordination and supervision of RAI Secretariat's activities on behalf of the RAI Steering Group and will report to the Regional Table meetings of the Stability Pact.

After the concluding of the Stability Pact and the establishment of the Regional Cooperation Council the Chair-in-Office will report to the meetings of the Council.

Parties reaffirm, in accordance with the 2005 RAI Ministerial Declaration on 10 Joint Measures to Curb Corruption in South Eastern Europe, their commitment to support and consolidate the RAI Secretariat's capacity to act as the South Eastern European Anti-corruption Resource Centre and to serve as focal point for regional anti-corruption

cooperation through the facilitation of best practices and the dissemination of lessons learned.

Parties also reaffirm, in accordance with the 2005 RAI Ministerial Declaration on 10 Joint Measures to Curb Corruption in South Eastern Europe, their commitment to strengthen the role of the Senior Representatives as national anti-corruption coordinators and focal points for international partners by means of providing them with political support and with adequate human and financial resources.

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## **Article 2 - Financing the operational and programmatic budget of RAI**

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Parties agree to contribute annually, starting with 2007, a minimum amount of 24.000 Euro to the operational and programmatic budget of RAI, thereby also ensuring the financial sustainability of the RAI Secretariat.

The first financial contribution will be transferred to the RAI Secretariat bank account, mentioned below, as soon as possible within three months after signing this Memorandum of Understanding. Subsequently, annual financial contributions will be transferred within the first quarter of each year.

**BENEFICIARY:** RAI Secretariat

**EUR ACCOUNT:** 503022 136623

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**BENEFICIARY'S BANK:** VOLKSBANK BH DD SARAJEVO

**SWIFT Code:** VBSABA22

**IBAN CODE:** BA39-1401010077777737

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**INTERMEDIARY BANK:** DEUTSCHE BANK

**EUR ACCOUNT:** 936 537 000

**SWIFT Code:** DEUTDEFF

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RAI Secretariat will immediately notify the Parties of any changes with regard to the payment procedures.

Parties agree that in case contributions allocated for one fiscal year have not been entirely spent, the balance shall be automatically included in the RAI Secretariat budget for the following fiscal year, without prior official agreement.

In addition to the annual contributions by the Parties, RAI will continue to seek donor support for specific programmatic activities within the RAI program.

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### **Art. 3 - Financial reports and audit**

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RAI Secretariat will provide the RAI Steering Group annually with reports describing programme implementation and all budgetary expenditures involved.

RAI Secretariat will commission, annually, an independent financial audit. The results and recommendations of the audit are to be presented to the RAI Steering Group for review, and to any other parties having made financial contributions to the RAI budget.

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### **Article 4 - Duration, termination and deposit of the Memorandum**

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This Memorandum of Understanding, approved by the Parties in accordance with their internal legal procedures, shall enter into force the first day following the month on which the last Party has notified to the Depositary the completion of the procedures necessary for that purpose. For each Country that accedes to this MoU in accordance with Article 1 paragraph 2 of this MoU, this MoU including its amendments shall enter into force on the first day of the month following the date on which the Depositary State has received the instrument of accession of that Country.

If its internal legal requirements permit, any Party may apply this Memorandum of Understanding provisionally from the date of its signature. Provisional application under this paragraph shall be notified to the Depositary.

Republic of Croatia will serve as the Depositary State.

This MoU shall remain in force for indefinite period of time.

Any Party may denounce this Memorandum by giving a written notification to the Depositary state. The Depositary state has the obligation to inform all Parties about the receipt of such notification, within 15 days. The denunciation shall take effect three months after the date of the receipt of the notification.

Any dispute between the Parties on interpretation or implementation of this Memorandum, including its validity or termination shall be settled by negotiation between the Parties.

Notwithstanding the termination of this Memorandum, its provisions shall continue to apply to the extent necessary to permit the completion of specific activities already undertaken pursuant to the Memorandum.

The original of this Memorandum in a single copy in the English language shall be deposited with Republic of Croatia, as depositary state, which shall transmit a certified copy to each party.

Signed on April 13, 2007 in Zagreb, Republic of Croatia

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Memorandum of Understanding.

	<b>Ilir Rusmali</b> Minister of Justice
	<b>Bariša Čolak</b> Minister of Justice
	<b>Georgi Petkanov</b> Minister of Justice
	<b>Ana Lovrin</b> Minister of Justice
	<b>Mihajlo Manevski</b> Minister of Justice
	<b>Miraš Radović</b> Minister of Justice
	<b>Valentin Mejinschii</b> Director General of Center for Combating Economic Crime and Corruption
	<b>Ion Codescu</b> Secretary of State Ministry of Justice
	<b>Snežana Malović</b> Minister of Justice