

U4 Helpdesk Answer

U4 Helpdesk Answer 2020:3

Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine: Overview of corruption and anti-corruption

In all Eastern Partnership countries, patronage networks are highly influential in state institutions. None of these countries have fully achieved strong or independent integrity systems. However, there are encouraging signs in some countries. Ukraine and Armenia, in particular, are engaged in ambitious and comprehensive reforms – brought about by strong public mobilisation against corruption. At the other end of the scale, there is little progress nor the political will to tackle state capture in Azerbaijan, Belarus, and Moldova. Georgia is the best performer on most governance indicators, yet still has some significant problems.

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Query

Please provide an overview of corruption and anti-corruption in the Eastern Partnership countries.

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Background and regional trends

At first glance, many countries in central, eastern and south-eastern Europe, as well as further east in the Caucasus and Central Asia, appear stuck in the transition towards democracy or to be outright democratic backsliders. As the Economist's recently published democracy index shows, with the exceptions of Azerbaijan and Belarus, the Eastern Partnership countries are mostly hybrid regimes: unconsolidated democracies with strong authoritarian features. With the exceptions of Belarus and Georgia, citizens in the region rate corruption as one of the three largest challenges facing their countries (Global Corruption Barometer 2016).

Key to explaining this "equilibrium" between authoritarianism and democratisation is state capture (Knott 2018). During the Soviet period,

MAIN POINTS

- State capture is an issue in all Eastern Partnership countries assessed in the profile and continues to be the primary impediment to successful democratic transformation.
- State capture in these countries has geopolitical ramifications.
- The various revolutions and civil uprisings that have engulfed most of the countries in question have historically had limited impact. However, the latest round of civil mass mobilisation has led to the fall of some corrupt leaders and has installed new leaderships that appear more enthusiastic about reform.

Communist Party politics overrode questions of institutional integrity, and many determinants of inclusive institutions, such as a free press, were absent (Knott 2018). When the Soviet Union collapsed, most former Soviet spaces experienced profound political and economic instability. Rapid, and arguably flawed, mass-privatisation programmes during a period of institutional collapse and weak rule of law provided ample opportunities for immense wealth capture by elites ("*nomenklatura*") (Hamm et al. 2012). Lines between politics and businesses became blurred, conflicts of interests were normalised among elites,

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and neo-patrimonialism became a defining feature of governance (Knott 2018).

The collapse of the Soviet Union brought about not only governance challenges but a series of territorial disputes and conflicts that continue to this day, either in the form of “frozen conflicts” or as hot, high-intensity ones. These conflicts produced a number of de-facto states across the former Soviet Union, such as in Transnistria, Abkhazia, South Ossetia and Nagorno-Karabakh (Carspersen 2012). The Luhansk and Donetsk People’s Republics holds some similarities to other secessionist de-facto states in the region, but also appear as more “artificial” constructs (De Waal 2018).

Over time, corruption and state capture became self-reinforcing. Relinquishing their hold on power would jeopardise the informal networks around the ruling elites, threatening their illicit wealth and impunity from justice. Thus, systems of rent-extraction needed to maintain patronage networks have become almost indispensable in some countries in the region, and rulers have attempted to suppress or co-opt many accountability mechanisms, such as the media, courts and specialised anti-corruption institutions (Knott 2018). The exit price for leaders who have looted state resources is high; individuals like Yanukovich and Plahotniuc have fled their respective countries after losing power.

State capture has also opened channels for interference by external actors and has, therefore, become an important venue for the geopolitical competition that so heavily defines the region. As a recent report by Transparency International UK argues, corruption in the region has been an instrument of foreign policy (MacLahan 2019). In the current context, patronage networks have

frequently become enmeshed into other networks in Russia, giving Russia strong sources of leverage over many countries in Europe’s eastern neighbourhood (MacLahan 2019). High dependence on Russia, particularly for energy supply, has limited the strategic autonomy of many countries in the region, complicated reform efforts dominated domestic and foreign policies in countries like Armenia and Ukraine (MacLahan 2019). At the same time, the European Union (EU) has tried to engage these countries with initiatives that would give them access to European markets. Most Eastern Partnership countries have signed association agreements as well as deep and comprehensive free trade agreements (DCFTAs) with the EU. As part of the association agreement, countries commit to governance reforms and the implementation of anti-corruption activities.

Europe’s eastern neighbourhood is often described as a “contested neighbourhood” (Ademmer et al. 2016). According to some observers (e.g. Cadier 2019; MacLahan 2019), EU cooperation has increasingly been driven by the geopolitical goal of “rolling back” the influence of Russia. In this competitive environment, many state leaders or powerful behind-the-scenes oligarchs have represented and legitimised themselves as either pro-European or pro-Russian. Commentators and analysts frequently view regional politics, and particularly the crisis in Ukraine, through a geostrategic lens where countering state capture is a critical element in increasing American and European influence at the expense of Russia (Lough et al. 2017; Master 2020). In other words, countering corruption and reforming state institutions is another battleground, existing in parallel to the various frozen and hot conflicts across the region.

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All countries have signs of resistance to the practices of neo-patrimonial governance. The many “colour revolutions” (for example, rose and orange) that swept the countries in recent decades have shown that people in Eastern Partnership countries have an appetite for more inclusive and accountable forms of governance. Recent years have witnessed a number of mass-movements against corrupt and self-serving elites, even in Azerbaijan and Belarus where space for dissent is

small. In Armenia and Ukraine, the revolutions of recent years have led to genuine attempts to strengthen accountability and integrity mechanisms. The reform processes may have their flaws, move slowly and incrementally, but they are nonetheless substantive. The key challenge is to maintain this momentum, particularly given the many risks posed by the fragile geopolitical situation in Eastern Europe and the Caucasus.

Armenia

	Control of Corruption		Corruption Perceptions Index (rank)	The Economist Democracy Index	Rule of Law Index/ World Justice Index	Press Freedom Index (rank)	Freedom House score	Global Peace Index	UNCAC status
	Score	Percentile Rank							
Latest available data (year in brackets)	-0.35 (2018)	42.79 (2018)	42 (77) (2019)	5.54 (hybrid regime) (2020)	N/A	61/180	53/100 (partly free)	121/163	Ratified (2007)

Background

The momentum for governance reforms has picked up significantly in the last couple of years. At the start of the last decade, the international community regularly criticised Armenia for lacking proper implementation of meaningful anti-corruption reforms and initiatives (e.g. OECD 2011). Corruption permeated through most sectors and layers of society (Wickberg 2013). President Serzh Sargsyan’s brother was often referred to under the nickname hisun/hisun (50/50) because of a tendency to demand 50% kickbacks from businesses in return for high-level government protection (Shahnazarian 2019).

Extensive grand and political corruption and the looting of state resources were among the main drivers of popular anger against the patronage networks at the centre of Armenian politics and business (Shahnazarian 2019). In 2018, large-scale protests were triggered by Serzh Sargsyan deciding to become prime minister after ending his two legal terms as president, despite promises that he would not seek high-ranking office after the expiration of his mandate. Protests continued after Sargsyan’s resignation on 23 April 2018 and evolved into a

wider protest for systemic political change. These protests were labelled as the Velvet Revolution.

On 8 May 2018, Armenia elected Nikol Pashniyan, a prominent journalist, activist and opposition politicians from the Social Contract Party, as prime minister. Pashniyan’s term, so far, has been a time of significant reform attempts (Feldman & Alibašić 2019; Freedom House 2019a). Following the revolution, corruption investigations more than doubled (Hetq 2018), and the government of Armenia introduced a new anti-corruption strategy with its 2019–2022 implementation action plan (available only in Armenian). The strategy announced a number of planned changes in Armenia’s institutional anti-corruption framework.

Transparency International Anti-Corruption Center (TIAC, the TI chapter of Armenia) has voiced its concerns, particularly during the initial drafting stage. According to TIAC and other civil society organisations (CSOs), the draft development process was not participatory enough, the strategy was pushed too hastily and, as a result, had some substantial issues. However, following the criticism from CSOs, the document was

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improved significantly and the process became more participatory.

The new Armenian government has taken a carefully planned and gradual approach to reform, which has indeed led to progress (Feldman & Alibašić 2019). Rather than purging institutions, Pashniyan's government has identified and strengthened elements and individuals within them that have shown integrity during the reign of the Republican Party (Feldman & Alibašić 2019).

Overall, this approach has resulted in slow and gradual but steady improvements in Armenia's governance indicators. Out of all the countries assessed in this report, Armenia appears to be the one with the highest momentum in its anti-corruption fight. Armenia has also seen a substantial improvement in electoral processes, some improvements in civil liberties and slowly expanding space for civil society. These positive developments have largely been identified as an outcome of the Velvet Revolution (Feldman & Alibašić 2019).

Main corruption challenges and institutional framework

Armenia's score on the corruption perceptions index improved by 7 points from 2018 to 2019. With its score of 42 out of 100, however, Armenia's CPI score is still below the world's average, and substantial challenges remain.

Corrupt networks still hold some influence in institutions, such as law enforcement and judiciary, as well as some influence in the private sector (Shahnazarian 2019). Introducing rule of law is possibly the chief challenge in a country where judicial institutions have never been fully

independent, and where lawyers have had to live with political pressure (Freedom House 2019a).

There are also reasons to believe that Armenia continues to struggle with petty corruption. In the 2016 Global Corruption Barometer, 24% of Armenians reported having paid a bribe in the past year. TIAC, however, reports that cases of petty corruption have fallen in recent years due to the rise in political will to tackle corruption.

Armenia's framework for countering and preventing corruption is currently undergoing an overhaul process, and recent years have seen some institutional changes born out of the political changes.

The newly established Commission on Preventing Corruption assesses asset declarations and scrutinises potential conflicts of interest. The government of Armenia has announced plans to strengthen the commission in the coming years and expand its mandate to also scrutinise judges (Nalbandian 2019).

The State Supervision Service is a body under the prime minister's office that examines the use of state funds for their intended purposes. It has, however, been in something of a storm recently, as its managing director is under investigation for corruption in relation to a tender (charges have not been forwarded) (Mejlumyan 2019).

There are plans to set up a more specialised anti-corruption law enforcement institution by 2021, the Anti-Corruption Committee. The new committee should concentrate and improve Armenia's capacity to investigate corruption cases (Nalbandian 2019).

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Azerbaijan

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	Score	Percentile Rank							
Latest available data (year in brackets)	-0.38 (2018)	21.63 (2018)	30 (120/180) (2019)	2.75 (authoritarian regime) (2020)	N/A	166/180 (2019)	11/100 (not free)	130/163 (2019)	Ratified 2005

Background

Corruption has been a feature of Azerbaijan’s public life since the rise of the Aliyevs. Political power is concentrated in entrenched patronage networks that revolve around the ruling family (Kukutschka 2017). Powerful patronage networks wield control of most public institutions, and the ruling elites are engaged in economic activities across a multitude of sectors. Azerbaijan’s state has come to embody a textbook case of a kleptocracy, a mode of governance designed to extract resources from society to enrich and reproduce elite power (Kukutschka 2017).

Azerbaijan is in many ways a rentier state and, with 90% of its exports and 45% of GDP coming from oil and gas, it is heavily reliant on revenue generated in the extractive industries (Kukutschka 2017). Even by rentier state standards, Azerbaijan suffers from high levels of corruption (Open Azerbaijan 2019). As a result, Azerbaijan was excluded from the Extractive Industries Transparency Initiative in 2017 (Open Azerbaijan 2019).

For decades, Azerbaijan has seen limited political and economic change, with power being heavily concentrated in the hands of only a few families.

Minor signs, however, are emerging that this decades-long stasis could slowly come to an end. Recent months have seen, on one hand, a rise in unrest and protest, while on the other, President Ilham Aliyev began a careful reshuffling of some key political posts in the country (De Waal 2019). These include Aliyev’s chief of staff Ramiz Mehdiyev, who is believed to have been the second-most powerful man in Azerbaijan since the 1990s and one of the chief architects of the Azerbaijani state’s security apparatus (De Waal 2019).

Taking the place of some of the old guards of Azerbaijan has been a younger and more qualified generation of individuals. This trend can be taken as at least one indication that Azerbaijan has come closer to a more technocratic approach to statecraft (De Waal 2019).

One hypothesis is that Azerbaijan is engaged in a form of “authoritarian modernisation”, a form of civil service reform that should improve state efficiency while maintaining the political status quo (De Waal 2019). Nevertheless, as the state of human rights show (Human Rights Watch 2020), Azerbaijan will likely continue to operate in its authoritarian mode for years to come.

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Elections in Azerbaijan are not free and fair by any standards. Candidates are frequently denied the right to stand for election, voter choices are not really meaningful (OSCE 2020), and the central electoral commission lacks independence (Freedom House 2019b). There has been no partly free or fair election at any level of government in Azerbaijan after its independence (Freedom House 2019b).

Azerbaijan's regime holds little regard for civil liberties, and the citizens do not enjoy freedom of assembly or freedom of speech (Freedom House 2019b). The most critical opposition politicians are subject to persecution and, as a result, there is very little open opposition to the regime (Freedom House 2019b).

Likewise, there is no media freedom (Freedom House 2019b), and the Committee to Protect Journalists has documented systematic violations of freedom of the press (Committee to Protect Journalists 2019).

Main corruption challenges and institutional framework

Azerbaijan's corruption challenges are consistent across most sectors (Open Azerbaijan 2019) and permeate every level of society, though they are generated at the very top (Kukutschka 2017).

At the level of state-citizen interaction, rates of bribery are relatively high. In the Global Corruption Barometer (2016), 38% of citizens reported having paid a bribe in the last year.

Political elites have substantial conflicts of interest, with a sizeable involvement in a variety of business ventures. Several leaks have pointed out just how well Azerbaijan's elites, the Aliyev family in

particular, have benefitted from abusing power for private economic gain (Kukutschka 2017). The Aliyevs have a global business empire with a portfolio in banking, construction, extractive industries and much more.

The state lacks fundamental accountability mechanisms with the judiciary, and legislative branches of government subdued to the interests of the ruling family (Open Azerbaijan 2019). The National Assembly enjoys little independence from the executive, and is relatively often subject to open interference. Moreover, key positions are distributed to regime allies, clan members and clients of the Aliyevs. Judicial independence exists mostly only in theory, and the executive is known to frequently interfere in court decisions. Likewise, elections are not considered free or fair or competitive, and electoral fraud is widespread (Freedom House 2019b).

Multiple cases have shown Azerbaijan's leadership's involvement in large-scale corruption cases. The most infamous case is the Azerbaijani Laundromat scheme, where billions of embezzled money were laundered by Azerbaijan's regime and its clients through a complex network of shell companies and transaction flowing to places such as Estonia, Denmark and the UK (OCCRP 2017). Money was used for both personal profit and for bribing selected individuals at the Council of Europe's Parliamentary Assembly (PACE) (Open Azerbaijan 2019).

Azerbaijan's institutional framework to counter and prevent corruption consists of a number of specialised anti-corruption bodies. These include the Commission on Combatting Corruption (CCC), which is responsible for the overall policy coordination and strategic direction on anti-corruption. The independence of the CCC is not

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guaranteed and it also lacks proper mandates (Kukutschka 2017).

The Azerbaijan Service Assessment Network (ASAN) is a dedicated body set up to improve access to public services for Azerbaijani citizens, without having to resort to bribery. ASAN has been one of the institutions in Azerbaijan that may actually have had a genuine impact (OECD 2016).

Additionally, Azerbaijan has a specialised anti-corruption division inside the prosecutor general's office, mandated to investigate and prosecute corruption offences (Kukutschka 2017). Azerbaijan also has an ombudsman, a supreme audit institution and a financial intelligence unit (Kukutschka 2017).

Azerbaijan's institutional setup to counter and prevent corruption has mostly been effective in addressing petty corruption, leaving the patronage networks who engage in grand corruption intact (Open Azerbaijan 2019). A key impediment to the efficiency of anti-corruption institutions and policies has been the lack of political will (see OECD 2016). Indeed, there are good reasons to cast doubt on both the independence and willingness to address corruption in the country. Ali Nagiyev, who was in charge of anti-corruption in Azerbaijan at the time, was implicated in the Azerbaijani Laundromat (OCCRP 2017). He has since shuffled to another position.

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Belarus

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	Score	Percentile Rank							
Latest available data (year in brackets)	-0.19 (2018)	49.04 (2018)	45 (66/180) (2019)	2.88 (authoritarian regime) (2020)	66/126	153/180 (2019)	19/100 (not free)	97/163 (2019)	Ratified 2005

Background

More than 25 years after independence, following the breakup of the Soviet Union, Belarus has seen limited change compared with other Eastern European countries. Former Soviet elites continue to wield substantial power and influence over institutions and policies. Alexander Lukashenko, who currently rules in his fifth term, transformed the country into a presidential republic with an executive branch that became increasingly unchecked over the years (BTI 2018c; Freedom House 2019c).

Today, the president has the power to appoint all important positions in both national and regional governments as well as in the electoral commission, the supreme court and the constitutional court (BTI 2018c). Presidential decrees turn into law immediately, and the legislative branch of government, having only initiated three laws in the history of Belarus, mostly rubber-stamps policies (BTI 2018c). The judicial branch, too, can only act with limited independence. Staffing decisions in the courts are determined by the president and have no executive decree has been opposed since 1996 (BTI 2018c).

Though fair trials are common, in political cases, the judiciary is frequently accused of behaving in a partisan manner, punishing regime opponents (BTI 2018c).

Elections in Belarus are not free and fair. The 2015 presidential election was marred by multiple issues, including some opposition members being barred from standing in the elections, the central electoral commission behaving in a partisan manner, and the voting and counting processes happening away from public scrutiny (OSCE 2015). Elections, simply put, are “openly orchestrated” (Freedom House 2019c).

The space for civil society and independent media continues to be heavily restricted (BTI 2018c). Charities and NGOs have to register all sources of funding and live up to requirements that make it difficult to exist without the state’s blessing (BTI 2018c). Online independent media platforms are subject to monitoring and surveillance, and heavy restrictions are applied on internet freedom (Freedom House 2018c). The KGB is known to persecute individuals who oppose the regime (Al Jazeera 2016) and often attempts to infiltrate

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independent civil society and media organisations (Freedom House 2019c).

Rule of law is a systemic issue in Belarus. The right to a fair trial tends to be neglected in cases of political importance (Freedom House 2019c). Political prisoners are often denied legal representation, and many confess (including to things they have not done) after torture (Al Jazeera 2016). Belarus is the last European country to still implement the death penalty.

Large media broadcasters are controlled by state-owned enterprises (SOEs), and there are only a limited amount of independent news media (BTI 2018c). However, YouTube and other internet-based platforms have proliferated information in the country. Additionally, there are also Polish-based news channels, such as the Belsat TV.

There are a number of small signs of change emerging. These do not threaten the status quo outright, but nonetheless, should be taken as signs of a sense of democratic resilience.

First, there is a documented pro-democracy (and pro-European) movement, particularly among younger citizens (see Vice News 2017). The movement has shown some resilience and defiance.

Second, although it is not able to perform traditional legislative tasks, the parliament also has more parties present than at any time in the past, which can be taken as a (small) sign that some form of political pluralism is emerging (BTI 2018c).

Third, the government of Belarus has shown signs that it is not willing to repress dissent as harshly as it used to (BTI 2018c).

Main corruption challenges and institutional framework

With a CPI score of 45 and a global rank of 66 out of 180, Belarus is less affected by corruption in terms of perceived corruption, particularly when compared to neighbouring countries like Russia and Ukraine. Moreover, this score has been improving significantly since 2012. However, according to the 2016 Global Corruption Barometer, Belarus has a bribery rate of 20%. Grand corruption seems to be an even larger issue as corruption is believed to be concentrated around the high levels of the state (Freedom House 2019c). In particular, in an environment where the state still controls much of the economy and where integrity systems are unable to keep the most powerful officials accountable, there are good reasons to assume that grand corruption is relatively common (BTI 2018c).

However, with economic issues plaguing the country and seeing the unrest driven by corruption in surrounding countries, the state of Belarus has shown some determination in rooting out corruption. The KGB has reported that it has investigated and detained dozens of officials involved in corrupt practices in SOEs (BTI 2018c). Lukashenko has also been keen to make curbing corruption a part of his ethos (see Belarus 2019). For instance, in February 2020, following the arrest of four company executives who had been manipulating sugar prices, Lukashenko was the first official to make a public statement in the media, stating that the arrest was a “lesson” (Wesolowsky & Lashkevich 2020).

In 2016, Belarus introduced a new anti-corruption law, which introduced some tough measures to counter corruption, including excluding corrupt

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officials from the state's retirement benefits. The law also provided provisions to ensure that officials that have been involved in corruption cannot be reappointed to other positions (BTI 2018c).

There are reasons to question whether the law will drastically improve Belarus's anti-corruption performance, however. In particular, there are still few ways to keep the very top accountable, and should President Lukashenko wish to, he can pardon any individual involved in corruption, something he has frequently done (Freedom House 2019c). Indeed, Lukashenko appears to (unofficially) tolerate a certain amount of corruption among allies (Wesolowsky & Lashkevich 2020).

Moreover, there are still a number of gaps remaining in Belarus's anti-corruption framework. GRECO has pointed out that Belarus has only addressed 4 of 24 recommendations on anti-corruption and has labelled Belarus "non-compliant" (Emerging Europe 2019). In particular, there are substantial issues with regards to Belarus's anti-money laundering efforts.

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Georgia

	Control of Corruption		Corruption Perceptions Index (rank)	The Economist Democracy Index	Rule of Law Index/ World Justice Index	Press Freedom Index (rank)	Freedom House score	Global Peace Index	UNCAC status
	Score	Percentile Rank							
Latest available data (year in brackets)	0.71 (2018)	76.44 (2018)	56 (44/180) (2019)	5.42 (hybrid regime)	41/126	60/180 (2019)	63/100 (partly free)	99/163 (2019)	Accession (2008)

Background

From the state coup in 1991 to the 2003 Rose Revolution and the Georgian-Russian war of 2008, Georgia's history in the two decades after independence has been a tumultuous affair. Since 2004, Georgia has been on a trajectory of reform (BTI 2018d). Georgia's path of institutional development has not been a straightforward process and has been marred by a series of political crises and setbacks. Particularly because of the situation in Abkhazia and South Ossetia, it has often had to prioritise state-building over democratisation (BTI 2018d). Nonetheless, Georgia has been capable of both consolidating state institutions and democracy and has made many positive achievements in the last 15 years (Freedom House 2019d).

Mass protests erupted in Georgia in the summers of 2018 and 2019, continuing for months (Hauer 2020). The protests, triggered by a police raid on a night club and a controversial court ruling following the murder of a teenager, were partly driven by anger over corruption in law enforcement and the judicial system. In other protests, there have been calls for reforms for a system that is believed to favour incumbent ruling parties

(currently the Georgian Dream) (BBC 2019).

Georgians do not appear to be very appreciative of the two factions that dominate the political landscape, the Georgian Dream and United National Movement (UNM) (Hauer 2020), and have consistently expressed unfavourable views in public polls (BTI 2018d).

However, while both the UNM and the Georgian Dream are unpopular and heavily influenced by powerful patrons (Navarro 2018), changing political leadership has shown some commitment to continuing to consolidate Georgia's democratic institutions (BTI 2018d). At the moment, another party, the Lelo party, is rising in the polls, while European Georgia is currently the third largest party in the polls. This has raised some eyebrows, as Lelo's leader, Mamuka Kharadze, is as controversial and divisive as existing political forces but with a more populist expression (Hauer 2020). A former banker, Kharadze has been accused of money laundering and has been charged in what might be a politically motivated case (possibly driven by Bidzina Ivanishvili's personal vendetta against Kharadze).

While Georgia has often stood out as a positive example of how inclusive institutions could

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consolidate in former Soviet states and while protest movements show that the spirit of democracy is alive and well, the political crises of recent years also show that the country still has some way to go (Asseldonk 2018). Arguably, Georgia still embodies some characteristics of a hybrid regime and has some structural issues to overcome.

Elections in Georgia are free and fair for the most part (BTI 2018d), but there have been reports of some irregularities during the 2018 presidential elections with allegations of vote buying, voter suppression, ballot stuffing in addition to secret campaign financing (Freedom House 2019d). In a prominent case of vote buying, during the 2018 elections, Ivanishvili's foundation promised to pay the private debt of 600,000 citizens.

Individual and political freedoms, such as freedom of assembly and freedom of speech, are generally respected (Freedom House 2019d). However, individuals and civil society organisations (including against Transparency International Georgia) have been subject to political pressure. Such pressure includes orchestrated disinformation campaigns against CSOs and the opposition. For instance, in December 2019, Facebook removed more than 300 government-affiliated pages posing as media outlets spreading misinformation (Freedom House 2020).

As in the other countries covered in this profile, oligarchs continue to wield substantial influence over political decisions (Asseldonk 2018; Navarro 2018). The founder of Georgian Dream, Bidzina Ivanishvili, is believed to continue to have a heavy influence on the party's policies, even after stepping down as prime minister and from his other political roles (Freedom House 2019d). Many observers fear that Ivanishvili has used his political

sway to the benefit of his business dealings (Freedom House 2019d). His power behind the scenes has also been demonstrated in a number of cabinet reshuffles that he allegedly helped orchestrate (Navarro 2018). Indeed, a number of individuals have moved from senior positions in Ivanishvili's private companies to high-level government positions, including two former prime ministers and high-ranking members of law enforcement and intelligence.

Georgia's media landscape continues to be dominated by partisan TV stations. In what is one of the clearest manifestations of illiberalism in the Georgian political establishment and courts, political parties have had disputes over the running of station Rustavi 2, an opposition-controlled station whose ownership was attempted to be transferred to an individual sympathetic to the Georgian Dream (Asseldonk 2018; Freedom House 2019d). While the media landscape overall can still be considered as competitive (Freedom House 2019d; BTI 2018d), freedom of speech is under some pressure.

Georgia has a dual executive which has created some competition between the office of the prime minister and the office of president (the former has been strengthened while the latter weakened) (BTI 2018d).

The Georgian judiciary lacks independence and has been pressured to make decisions that favour ruling parties (BTI 2018d). Attempts to reform the judiciary to strengthen independence has led to some progress (BTI 2018d), but has not necessarily gone far enough to make it meaningful to claim that courts are truly independent as judges are still occasionally subject to political pressure (Freedom House 2019d).

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Main corruption challenges and institutional framework

On most corruption indices, Georgia performs relatively well by regional standards. On the 2016 Global Corruption Barometer, 7% of Georgians reported having paid a bribe in the last year, a number that is significantly lower than for any other state in this profile. However, while levels of petty corruption are not very high, there are still reasons to worry about grand corruption and corruption in the judiciary (EU 2020). The public seems to be quite pessimistic about the overall situation regarding high-level corruption and the willingness of ruling elites as well as law enforcement to effectively investigate and prosecute high-profile cases (TI Georgia 2019).

Georgia's institutional anti-corruption framework has a number of significant gaps.

Georgia lacks an UNCAC-style specialised anti-corruption agency, though the Inter-Agency Anti-Corruption Coordination Council embodies some of these features. The council, created after the law on conflicts of interests and corruption in public service, implements Georgia's anti-corruption strategies and coordinates various initiatives across Georgia's institutions.

Another significant issue is the lack of judicial independence and the continued influence of the ruling party in the judiciary and law enforcement that investigate and prosecute corrupt individuals (TI Georgia 2019). This has made it difficult for the judiciary to successfully convict important high-level officials affiliated with ruling parties on corruption grounds (Freedom House 2019d).

Access to information is generally provided, but unevenly so. Georgia's access to information law

can be reformed to provide increased transparency in the process of providing access to public records (Freedom House 2019d).

On a more positive note, the State Audit Office of Georgia, the supreme audit institution, has shown a capacity to point out misuse of funds by state officials (BTI 2018d).

According to the latest Association Implementation Report, the EU Commission services and EEAS (EU 2020) find that, even though there are a number of gaps to overcome, Georgia's anti-corruption efforts are mostly in line with its commitments. That said, Transparency International Georgia (2019) argues that results have predominantly been created in countering petty corruption, while many of the systematic weaknesses that makes it difficult to curb grand corruption remain.

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Moldova

	Control of Corruption		Corruption Perceptions Index (rank)	The Economist Democracy Index	Rule of Law Index/ World Justice Index	Press Freedom Index (rank)	Freedom House score	Global Peace Index	UNCAC status
	Score	Percentile Rank							
Latest available data (year in brackets)	-0.73 (2018)	25.96 (2018)	32 (120/180) (2019)	5.75 (hybrid regime) (2020)	83/126 (2019)	91/180 (2019)	58/100 (partly free)	68/163 (2019)	Ratified (2007)

Background

After a brief period of optimism in the immediate wake of its independence, Moldova descended into turmoil. Fearing reunification between Moldova and Romania, the more Russia-oriented Transnistria seceded, sending the country into a conflict that remains frozen to this day. Political deadlock, lacklustre pace of reforms and serious economic trouble created the political space for the Communist Party to reclaim an influential position in the country's politics (BTI 2018e). Almost three decades after its independence, Moldova remains Europe's poorest country, trapped in an unenviable geostrategic position and struggling with endemic corruption (BTI 2018e).

Moldovan politicians and their oligarchic patronage networks have for decades treated the state apparatus as a source of profit, and the country has experienced a multitude of embezzlement and money laundering scandals orchestrated at the highest level of government. During the early 2000s, the networks that had captured the Moldovan state were embedded in the Communist Party and had close connections to Moscow. However, since 2013, following a brief

period of some positive transformation (Knott 2018), Vladimir Plahotniuc gave corruption a pro-European face, continuing to engage in endemic, large-scale corruption with seeming impunity while hiding behind a cosmetic pro-European reform agenda (Hajdari 2019; Pistrinciuc 2019).

Plahotniuc, who has never held any elected position (as he is extremely unpopular) wielded significant influence over the courts, in the electoral system and in the anti-corruption bodies of Moldova (TI Moldova 2017). He was, in other words, the de-facto leader of the country (Necsutu 2019). As a result of long-standing tendencies to interfere in Moldova's judiciary and other integrity systems, rule of law is weak (Freedom House 2019e). The Democratic Party of Moldova (DPM) also controlled parliament through using blackmail and bribery to ensure other parties' MPs "migrated" to the DPM, thus weakening the legislative branch's ability to check the executive (TI Moldova 2017).

From 2013 to 2019, organised state-embedded criminality was endemic in Moldova. With Plahotniuc in the lead, oligarchs laundered between US\$20 billion and US\$80 billion of

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embezzled Russian money through banks in Moldova as a critical part of the Laundromat scheme (OCCRP 2017). Since it required the involvement of Moldova's courts and other state institutions, the Laundromat scheme clearly showed how the Moldovan state apparatus was essential to money laundering (OCCRP 2017). Plahotniuc and Constantin Tutu, another high-ranking official in the DPM, have been charged in Russia of running a large-scale hashish trafficking operation (Necsutu 2019).

In June 2019, the reign of the DPM was ended by a surprise coalition of Russian-friendly socialists led by Igor Dodon (a former Plahotniuc ally) and ACUM (a pro-European centre-right party), led by Maia Sandu. As the new coalition government assented after months of political gridlock, Plahotniuc fled the country, and opportunities for genuine reform emerged (Behrendt & Lentine 2019; Pistrinciuc 2019). The new government did promise political and justice sector reform, but its progress was quickly stalled (Hajdari 2019). It appears that the networks that had previously captured Moldova's state survived the brief political transition and were able to make this brief democratic intermezzo pass more quickly (Hajdari 2019). The socialist party and the current president Igor Dodon (who helped dethrone Plahotniuc) have been heavily involved in corrupt acts that could be punished if the judiciary's independence was to be guaranteed (Hajdari 2019).

The media environment continues to be dominated by PDM-linked entities and Plahotniuc particular, while independent and critical journalists are often subjected to pressure and surveillance (Freedom House 2019).

The government rarely conducts genuine consultations with actors from civil society, and

civil society organisations may face some pressure (though rarely physical or violent) (Freedom House 2019e).

Main corruption challenges and institutional framework

Corruption is an endemic and systemic issue in Moldova (BTI 2018e), and there is evidence of state capture in each of the three branches of government (TI Moldova 2017). One embezzlement scheme alone is believed to have cost Moldova 12% of its GDP (Hajdari 2019).

The citizens of Moldova consistently rate its government poorly on governance indicators and report one of the lowest levels of trust towards their government in Europe; 76% of respondents in the 2016 Global Corruption Barometer believed their representatives to be very corrupt, and 67% of citizens believe that corruption is one of the three biggest problems facing the country. Corruption has also resulted in high bribery rates, with 42% of households reporting to have paid a bribe when accessing a basic service, the highest percentage in Europe.

Grand and political corruption are rife, and the culture of corruption is generated at the very top of the political establishment (Rahman 2017).

Moldova has instituted a number of specialised institutions, mandated to counter and prevent corruption.

The National Anti-Corruption Centre is a specialised anti-corruption body with a number of strategic and investigative mandates (Rahman 2017). It works together with the National Integrity Commission, which tests and vets public officials

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and researches potential conflicts of interest among public officeholders.

The Anti-Corruption Prosecutor's Office is Moldova's judiciary's specialised anti-corruption prosecutor, working with the investigators at the National Anti-Corruption Centre to establish cases (Rahman 2017).

The Agency for the Recovery of Criminal Property is one of the institutions mandated to seize assets obtained through criminal or corrupt means. Despite substantial investments, the agency has had somewhat limited results. International bodies have found some significant gaps in Moldova's asset recovery architecture and its anti-money laundering and terrorism financing framework more broadly (see Council of Europe 2019).

Additionally, Moldova has an ombudsman institution and a financial intelligence unit (Office for Prevention and Fight Against Money Laundering).

Overall, there are worries that the institutional anti-corruption framework of Moldova is not capable of adequately enforcing anti-corruption laws (Freedom House 2019e) and that anti-corruption efforts may be subservient to political goals (TI Moldova 2017).

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Ukraine

	Control of Corruption		Corruption Perceptions Index (rank)	The Economist Democracy Index	Rule of Law Index/ World Justice Index	Press Freedom Index (rank)	Freedom House score	Global Peace Index	UNCAC status
	Score	Percentile Rank							
Latest available data (year in brackets)	-0.87 (2018)	18.27 (2018)	30 (126/180) (2019)	5.9 (hybrid regime)	77/126	102/180 (2019)	60/100 (partly free)	150/163 (2019)	Ratified (2009)

Background

Since its independence in 1991, Ukraine’s policy framework has been heavily influenced by narrow interest groups who were able to both influence the shaping of the state’s institutions and solidify their positions in the privatisation programmes of the decade (BTI 2018).

The 2004 Orange Revolution brought about hope for political and economic change and led to some improvements in electoral practices. The so-called Orange Period that lasted until 2010 has been interpreted as a period of democratisation (Knott 2018), though it was also marked by disagreement and disunity and only led to limited positive transformation (BTI 2018). Indeed, after Yanukovich’s election, most of the positive developments that had been implemented were reverted (Knott 2018).

For the last few years, Ukraine has set the stage for not just violent armed conflict but for a struggle between networks that have benefitted from decades of state capture and a coalition attempting to introduce governance reforms (BTI 2018). In the aftermath of the Revolution of Dignity, Ukraine has

made an unprecedented push for strengthening its security and defence capacities, reforming the gas sector, launching electoral, decentralisation and healthcare reforms, and setting up an anti-corruption infrastructure (RPR 2019).

Important steps have been taken to increase transparency: an integrated electronic declaration system was launched for government officials to declare their assets and income, and public registries have been published according to open data standards.

All public procurement is carried out through ProZorro, an open electronic procurement system, which has already saved more than US\$3.4 billion in budgetary funds since 2016. Its operation is supported by the monitoring ecosystem DoZorro. ProZorro sales brought US\$930 million into the state budget, making it possible to transparently sell the property of bankrupt banks and state property, as well as privatise some small assets (Halushka & Borovyk 2019). Progress has been made through the assignment of state medicine procurement to international organisations, digitalisation of administrative services, automation of value-added tax refunds, and the

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ongoing reform of corporate governance at state-owned enterprises (Halushka & Borovyk 2019).

At the same time, however, the patronage networks that have benefitted from state capture in Ukraine have gone to great lengths to resist these reform attempts, and, overall, narrow oligarchic interests still hold substantial influence across both the state apparatus and the economy (BTI 2018f; Freedom House 2019f). As a result, some reforms have advanced only slowly. In judiciary reform especially, the political dependence of judges and the continued presence of corrupt judges remain the key challenges (Zhernakov et al. 2019).

The 2019 elections perplexed many, with the political outsider and comedian Volodymyr Zelenskyi harnessing the results of widespread feelings of disenfranchisement among Ukraine's population. Zelenskyi's political platform was largely one of anti-corruption, and his victory shows how little trust Ukrainians have in established politicians (Lutsevych & Gerasymchuk 2019). Zelenskyi's election also shows that, even though it may actually have had an effect, many people in Ukraine did not feel the impact of Ukraine's reform process and wanted a complete outsider (Lutsevych & Gerasymchuk 2019). The new government has launched ambitious attempts at reforming critical sectors, such as state-owned enterprises, the banking sector and has continued to work towards justice reform (Karatnicky & Motyl 2020). However, there have been various orchestrated attempts to discredit Ukraine's government and its policies (Karatnicky & Motyl 2020).

Elections in Ukraine are generally free and fair, with the OSCE mission in Ukraine noting that the recent elections were carried out with an overall "respect for the democratic process". However,

during recent elections, there have been serious issues with money in politics (BTI 2018) as well as control over the media (Freedom House 2019f).

While media actors enjoy the freedom to cover and criticise freely, larger media conglomerates tend to be closely linked to powerful businesses. Freedom of speech in Luhansk, Donetsk and Crimea is under much more pressure (Freedom House 2019f).

Although Ukraine respects civil liberties in theory, these are sometimes violated in practice. In recent years, civil society organisations working in human rights and governance have occasionally been subject to pressure in the polarising political landscape. This includes a number of worrying attacks on anti-corruption activists (Freedom House 2019f). In particular, the introduction of mandatory e-declarations for anti-corruption activists was cancelled in 2019. Smear campaigns and attacks on civic activists are rarely investigated well, and instigators often go unpunished.

Main corruption challenges and institutional framework

Corruption is a systemic issue in Ukraine, with 93.7% of Ukrainians reporting that it is one of the three most important issues in the country (almost as many as who report the violent conflict to be one) (Pact 2018). Grand political corruption is perceived as the most entrenched form of corruption, followed by corruption at the level of interaction between state and citizen and corruption in business (Pact 2018).

More than 80% of Ukrainians believe that corruption is possible because there are no adequate punishments, and a majority believe that the key to countering corruption more effectively is to create more efficient criminal mechanisms (Pact

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2018). And indeed, resistance and a lack of will to crack down on corruption are major obstacles to anti-corruption reform (Halushka & Borovyk 2019).

At the same time, however, the number of individuals who have faced corruption personally has gone down from 60% in 2011 to 41.5% in 2018 (Pact 2018); yet more signs that there is a concerted effort to tackle the issue.

In the last five years, the anti-corruption infrastructure of Ukraine has been subject to important developments.

The National Anti-Corruption Bureau (NABU) receives and investigates complaints of corruption by high-level Ukrainian officials. NABU was founded after the Revolution of Dignity as part of the new anti-corruption infrastructure.

The Specialised Anti-Corruption Prosecutor's Office (SAPO) oversees NABU's investigations and decides whether to bring forth charges. The High Anti-Corruption Court (HACC) takes the decisions and delivers the verdict. HACC started operating in September 2019 (TI Ukraine 2019) Within 100 days after its launch, more than 3,000 cases were filed to HACC, more than 2,500 were considered, and two sentences given (ANTAC 2019). Despite the backlog in cases, the implementation of HACC is an important step as it allows corruption cases to be decided by an actual independent entity (TI Ukraine 2019).

The National Agency for Corruption Prevention (NACP) plays an important role in preventing corruption. Created in 2015, it is responsible for the development of the anti-corruption policy and verification of the asset declarations of public officials.

The Asset Recovery and Management Agency (ARMA) is another anti-corruption institution that was launched in 2016 to detect, seek and manage the assets obtained through corrupt practices.

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The U4 anti-corruption helpdesk is a free research service exclusively for staff from U4 partner agencies. This service is a collaboration between U4 and Transparency International (TI) in Berlin, Germany. Researchers at TI run the helpdesk.

The U4 Anti-Corruption Resource Centre shares research and evidence to help international development actors get sustainable results. The centre is part of Chr. Michelsen Institute (CMI) in Bergen, Norway – a research institute on global development and human rights.

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