ANTI-CORRUPTION POLICY IN THE HIGHER EDUCATION SECTOR OF ARMENIA

Assessment of Implementation of the OECD Recommendations

EXECUTIVE SUMMARY

Armenia has been involved in the Istanbul Anti-Corruption Action Plan (IAP) of the Anti-Corruption Network (ACN)[1] for Eastern Europe and Central Asia of the Organization for Economic Co-operation and Development (OECD) since 2003. The OECD is a forum in which the governments compare and exchange policy experiences and good practices and promote decisions and recommendations to produce better policies.

The OECD regularly prepares country monitoring reports which analyze the country's progress in implementing its anti-corruption reform and the recommendations under the IAP. The initial study of the legal and institutional framework for the fight against corruption in Armenia, as well as the recommendations, was approved in 2004. The First Round Monitoring Report of the Istanbul Anti-Corruption Action Plan on Armenia was adopted in 2005; the Second Round and Third Round reports were adopted in 2010 and 2014 respectively.

This Report addresses the 4th Round Monitoring Report on Armenia adopted in July 2018[2] (hereinafter, the "OECD Report" or "Report"), which includes five recommendations for the higher education (HE) sector, with 16 items. The **goal** of the survey was to assess the implementation of the 16 recommendations of the OECD Report for the higher education sector.

The **objectives** of the survey were to:

- Describe the current situation in terms of the implementation of each OECD recommendation through stating and analysis of the facts;
- Assess the noticeable outcomes and progress in the integrity system resulting from the implementation of each of the OECD recommendations;
- Identify the institutional, legal and other obstacles to the implementation of the OECD recommendations; and

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[1] Established in 1998, the main objective of the ACN is to support its member countries in their efforts to prevent and fight corruption. It serves as the home for the IAP.

[2] Anti-corruption reforms in Armenia: 4th Round of Monitoring of the Istanbul Anti-Corruption Action Plan, https://cutt.ly/3IRQBkN. For the Armenian version visit https://cutt.ly/4IRWiv7.

- Submit recommendations for further effective implementation of the OECD recommendations and enhancing the positive impact.

The assessment was conducted by the Institute of Public Policy (IPP) NGO in July-December 2021. The assessment reflects the situation in the Armenian HE sector in November-December 2021.

The main target audience of the Report includes all the actors of the HE sector: the higher educational institutions (HEI, HEIs), the RA Ministry of Education, Science, Culture and Sports (MoESCS), the RA Government, other stakeholders and experts in the HE sector, donors of the HE sector, as well as international and local non-governmental organizations.

The assessment was based on qualitative and quantitative methods of data collection, including:

- analysis of documents;
- data collection from the universities through written surveys (completed questionnaires were received from 10 universities);
- interviews with the key informants (26 interviews were held with the representatives of 16 HEIs and the MoESCS); and
- online anonymous survey among university lecturers (266 lecturers participated).

According to the assessment:

- Some OECD recommendations are problematic due to the ambiguity of the addressee or the inadequate powers and limited tools of the Authorized Body, necessary for the implementation of the recommendations. The Authorized Body cannot have direct influence over the HEIs, to ensure the implementation of the OECD recommendations. It also carries risks of violating academic autonomy. The influence of the Authorized Body is of an indirect nature, such as licensing and quality assurance processes, representation in the governing boards of state HEIs, etc. The different statuses of the HEIs (SNCOs, foundations, state, interstate and private HEIs) are also a serious obstacle to the application of consistent approaches by the Authorized Body.
- The HEIs and the MoESCS do not seem to be interested in the content and the recommendations of the OECD report. The OECD recommendations are generally perceived as inconsistent with the real needs of the sector and the HEIs. There is a lack of motivation to implement the recommendations. The vast majority of the participants of the assessment first heard about the OECD recommendations during this assessment from the survey team.
- The noticeable progress in ensuring integrity in the HE sector is not dependent upon the purposeful implementation of the OECD recommendations. Some of the positive results achieved by the HEIs simply coincide in content with the approaches put forward by the OECD, however, these are not the result of the direct implementation of the OECD recommendations. A significant part of the achievements of the HE sector and the HEIs is timewise not related to those recommendations: many results were achieved earlier

than the publication of the OECD report. These include especially the positive developments related to the transparency and accountability of the HEIs.

- Overall, the implementation of the absolute majority of the 16 OECD recommendations is assessed as "lack of progress"[3]. No visible efforts were made for the implementation of the recommendations, and there are no tangible results. No legal and institutional changes were made. The only progress is the development of the Draft Law "On Higher Education and Science" (hereinafter referred to as the "Draft Law") which contains provisions on the prevention of politicization of HEIs, codes of academic integrity, and financial accountability of an HEI. However, it is unclear when these provisions will enter into force and how long it will take for their enactment to ensure progress.

As a result of the assessment, recommendations were made to the MoESCS and HEIs.

Recommendations to the MoESCS

1. In collaboration with HEIs, develop an anti-corruption strategy for the HE sector and an action plan, to include:

- The 2018 OECD recommendations with their detailed interpretations and implementation guidelines; and
- The clear performance indicators of the actions (including the OECD recommendations) and the monitoring plan.

2. To develop the capacities of the MoESCS to coordinate the implementation of the sectoral anti-corruption strategy, support the universities and assess the progress, in the following areas:

- Grant an appropriate mandate to a unit or a group of employees of the MoESCS;
- Provide ongoing education and training of that unit or staff on the topics of anti-corruption combat and integrity; and
- Provide that unit or staff with the financial and expert resources needed to carry out their functions.

3. Provide ongoing advice and support to the HEIs with:

- implementing the action plan and assessing the progress at the HEI level; and
- making the HEIs development programs and activities meaningful within the framework of the concept of ensuring integrity.

4. Organize consultations among the HEIs regularly to exchange experiences and increase the efficiency of activities.

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[3] For the assessment the scale in the OECD 2019 Progress Update Report was used: Significant progress, Progress, and Lack of progress. Fourth round of monitoring. Armenia. Progress update report, page 7, https://cutt.ly/ZSolXVM.

5. Develop and provide the HEIs with mechanisms for detecting and regulating conflicts of interest and a guide for their practical application. Organize trainings on conflict of interest and their regulation for the HEIs.

6. Develop a strategy for detecting corruption cases and holding liable for cases of infringements of integrity requirements in the HE sector, engaging the HEIs, lecturers and students in the development of the regulations.

7. Review the licensing procedure of HEIs, in order to rule out the possibilities for conflicts of interest and abuse of influence between the licensing agency and other staff in the process of forming of the licensing commission by the Minister and issuance of licenses.

8. Consider the possibility of changing the legal and organizational status of the licensing agency operating within the MoESCS structure (for example, the possible status of an adjunct body to the Government or a Government-affiliated body), to ensure its independence and to prevent conflicts of interest.

9. Introduce the standards for the integrity risks and prevention of corruption in the system of EHI accreditation and re-accreditation standards applied by the ANQA.

Recommendations to HEIs

1. Anti-corruption policy

10. Develop and approve a document regulating the anti-corruption activities (an action plan) in the HEI, indicating the responsible officials / institutions and the schedule.

11. Engage the lecturers and the students in the development of the action plan as much as possible.

2. Prevention: personnel policy

12. Introduce a transparent system for announcing vacancies, competitions for filling the vacancies, and the results. Provide an open electronic mechanism for participation in the competitions for filling the vacancies.

13.   Introduce a mechanism for collecting data and statistics on labour legal relations, for long-term monitoring of the dynamics of vacancies and their filling, fixed-term or indefinite contracts, labour disputes, and other related issues.

3. Prevention: compliance and quality assurance procedures

14. In the process of accreditation or re-accreditation of the HEI, address the issues of integrity risk management and prevention of corruption in the HEI on its own initiative, through self-assessment.

4. Prevention: transparency and accountability

15. Through regular courses, awareness campaigns and information provided on university websites develop the capacities of the students and the lecturers for:

- collection and analysis of information from open sources;
- requesting information through written inquiries; and
- applying the accountability mechanisms and other mechanisms of internal control of the HEI.

16. Introduce specific regulations and mechanisms for raising the awareness of the students and lecturers and requesting information, particularly on plagiarism manuals and online programs, the activities of the HEI's Ethics Committee, the results of the investigation of the reported corruption cases and other similar issues.

5. Effectiveness of law-enforcement practices

17.   Introduce a whistleblowing system in the HEIs and channels for reporting (including anonymously) cases of corruption and violations of integrity requirements (including the code of ethics). Appoint a whistleblowing officer and organize courses to develop the whistleblowing skills of the lecturers and the students.

18.   Re-launch the "Platform Enhancing Transparency and Accountability in Governance of Higher Education Institutions" (https://cutt.ly/lIWyInV) of the Education Management Information System (www.emis.am), ensuring that all HEIs download and continuously update all information related to their activities and policies. Introduce new tools on the platform to use the existing data for research and analysis, to obtain aggregate data and to produce summary statistics.