**A webinar on the topic “Effectiveness of Specialized Anti-Corruption Courts” was held.**

On October 3, 2024, the Open Society Forum hosted a webinar titled “How Effective Are Specialized Anti-Corruption Courts?” featuring legal experts from Ukraine, Armenia, and the Philippines.

Corruption has long been a persistent issue in Mongolia, as reflected in Transparency International’s annual Corruption Perception Index. In recent years, high-profile cases of public resource mismanagement, illegal enrichment, and harm to public interests have frequently emerged. At the same time, debates over the need for stricter penalties and greater accountability for those found guilty of corruption have intensified.

On June 30, 2023, the State Great Khural (Parliament) approved the National Anti-Corruption Program (2023-2030), which aims to improve the legal framework for clearly defining corruption offenses and enhancing the process for investigating and adjudicating such cases. The program also addresses the judiciary, stating, "Judges specializing in corruption cases will be trained, and the number of judges will be increased in line with the specific nature of the work and the workload" (Section 5.3.1).

Additionally, since 2023, there has been growing discussion around judicial reform, particularly the idea of establishing a specialized anti-corruption court. In his address to Parliament on November 30, 2023, Prime Minister L. Oyun-Erdene stated, "While the fight against corruption is intensifying and economic indicators are improving, the process of holding corrupt officials accountable is being delayed at the judicial level. As Prime Minister, firmly believe that establishing a specialized anti-corruption court in Mongolia is essential."

According to the Norwegian U4 Anti-Corruption Resource Centre, as of 2022, 27 countries worldwide operate specialized anti-corruption courts. The oldest of these is the Sandiganbayan Court in the Philippines, established in 1973. The effectiveness of these courts varies depending on institutional factors such as structure, authority, human resources, and the overall political environment in each country.

Since the establishment of a new court represents a major reform that impacts the entire judicial system, it is crucial to thoroughly examine how these factors, combined with the political context, influence the effectiveness of specialized anti-corruption courts. To gain insights from countries with such courts, the Open Society Forum organized a webinar featuring experts from these countries.

The first presentation was given by Mikhailo Zhernakov, a Ukrainian lawyer and researcher specializing in judicial reform. Ukraine passed a law on June 21, 2018, establishing the High Anti-Corruption Court, preceded by a law on June 7 that regulated the selection and appointment of judges. The court became operational in 2019 and hears cases involving high-level officials or corruption cases involving sums of $39,500 or more, functioning as both a first-instance and appellate court.

Zhernakov highlighted two key factors that contributed to the court's success:

* The selection of judges involved independent advisors from countries such as Canada, the UK, and Lithuania, ensuring a merit-based, politically neutral selection process.
* A comprehensive anti-corruption ecosystem was established, including the National Anti-Corruption Bureau (investigation), the Specialized Anti-Corruption Prosecutor’s Office, the National Agency for Prevention of Corruption (overseeing asset declarations), and the Asset Recovery and Management Agency. These institutions were supported by international donors such as the European Union, World Bank, and International Monetary Fund.

Cristina Conti, Secretary-General of the Manila Chapter of the Public Interest Lawyers Association, shared insights into the Philippines' experience with its specialized anti-corruption court, the Sandiganbayan. Established in 1973 by then-President Ferdinand Marcos, the court was more of a symbolic decision aimed at political gain than a genuine effort to combat corruption. The court handles both civil and criminal cases depending on the rank and salary of the officials involved. However, due to factors such as issues with judicial appointments and inconsistent legislation, the court has struggled to make a meaningful impact in the fight against corruption.

Vardan Partamyan, an expert from the National Democratic Institute, discussed Armenia’s experience with its specialized anti-corruption court. As part of Armenia’s anti-corruption reforms, the idea of establishing a specialized court was introduced in 2018, and a law was passed in April 2021 to create the court, which became operational in 2022. The court consists of 15 judges, with 10 handling criminal cases and 5 focusing on civil cases.

Unlike Ukraine’s system, Armenia chose not to create separate pre-trial and enforcement institutions. Instead, existing agencies were coordinated to handle these functions. However, the court has faced criticism for a lack of transparency, political influence in judicial appointments, and poor coordination with other judicial institutions. As of now, there has been little progress in resolving corruption cases, as noted by the speaker.