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# Monitoring Report

## *Towards a Global Plan*

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## Acronyms

APNAC	African Parliamentarians Network Against Corruption
ARPAC	Arab Region Parliamentarians Against Corruption
CIDA	Canadian International Development Agency
GOPAC	Global Organization of Parliamentarians Against Corruption
GTF	GOPAC Global Task Force
MENA	Middle East and North Africa
Parliament and Parliamentarians	This report uses the terms Parliament and parliamentarians although recognizes that nomenclature varies across countries and regions.
RWI	Revenue Watch Institute
SEAPAC	South East Asian Parliamentarians Against Corruption
Toolkit	Preventing Corruption: UNCAC Toolkit for Parliamentarians (developed by GOPAC and UNDP)
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Program
UNDP-POGAR	UNDP-Program on Governance in the Arab Region
USAID	United States of America International Development
WFD	Westminster Foundation for Democracy
WB	World Bank
WBI	World Bank Institute

## Executive Summary

This is the first report of the GOPAC Monitoring Program. It summarizes the findings on parliamentary capacity and performance in preventing corruption from 32 reports<sup>1</sup> by country chapters and GOPAC members using a self assessment Toolkit developed by GOPAC and UNDP.<sup>2</sup> Respondents identified strengths and areas that still need to be addressed. There remains a great deal of work to be done in all of the five program areas (Global Task Forces - GTFs). Our early findings confirm:

- ***need for training and support for UNCAC:*** there is a lack of support for parliamentary engagement in the implementation, oversight and review of the UNCAC. Furthermore the Toolkit could be expanded to include missing issues such as lobbying and international anti-bribery. Greater attention by GOPAC to international anti- bribery could provide a much needed link between developed and undeveloped countries in GOPAC work on preventing corruption;
- ***weak capacity in parliamentary oversight:*** A potential area to explore is the use of changes to parliamentary procedures and standing orders which may be less difficult than changing laws;

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<sup>1</sup> The information from this report came mostly from countries (20 out of 31) that are identified in the lower half of the Transparency International Corruption Perception Index for 2010.

<sup>2</sup> This Toolkit was also reviewed by UNODC to ensure consistency with UNCAC and the review mechanism. The new version of the Toolkit which will be available later this year contains scoring criteria and draft questions on lobbying. GOPAC will also pursue with UNDP and OECD the issue of adding questions on international anti bribery.

- **public credibility of parliamentarians:** there are gaps or absence of ethics and conduct regimes for parliamentarians. Major gaps are ensuring parliamentarians understand their democratic roles and equally important the whole notion of public trust, in particular election and political party financing;
- **engaging citizens:** improvements are needed in engagement of citizens by parliamentarians on UNCAC (participation of society); and
- **oversight of anti-money laundering:** there are many legislative initiatives, but doubt about implementation. A clear message is that having the laws is not enough, they have to be implemented. Also the Toolkit section on AML needs further work as currently is limited to a few questions.

### **Towards a Global Plan**

The GOPAC monitoring program is seen as an important step in developing a comprehensive Global Plan for strengthening parliamentary performance in preventing corruption and in ensuring that the implementation of UNCAC remains a national priority in countries that have signed this convention. If preventing corruption is to be sustained, parliamentarians must have the capacity and incentives to carry out their roles effectively.

The Toolkit, (as the only self-assessment instrument for parliamentary performance on preventing corruption) has already delivered information on areas that need to be addressed. However further developments and improvements are needed so that the Toolkit can realize its potential as:

- an analytical tool to identify national priorities;
- a learning instrument that can help build multi-stakeholder coalitions and networks; and
- an incentive to engage parliamentarians to improve their own performance.

Annual updates by country chapters would provide an opportunity to:

- extend the countries covered;
- standardize the approach used, in particular to ensure that all assessments have the benefit of multi-party engagement, are informed by civil society and international organizations; and
- contribute to better understanding of national issues so that both GOPAC Global Task Forces and Regional Chapters can adjust strategies and work plans.

Nevertheless we believe that the findings of this report are useful for the development of an initial GOPAC Global Plan after the Mexican Conference and Board meeting. The process, in addition to factoring developments from these events will also integrate:

- parliamentarians' responses to the draft Strategic Plan;
- additional and updated country reports that are still being prepared;
- plans and projects at the regional and national chapter levels;
- findings from the independent evaluation of the Arab Region Parliamentarians Against Corruption (ARPAC) which will be available in late spring 2011. This evaluation is funded by USAID; and
- broad consultation with chapters, members, partners and donors.

An important context for the Global Plan will include increasing the number and capacity of country chapters to work with the implementation processes for UNCAC and related international anti-corruption conventions. That is, GOPAC firmly believes that the ‘domestication’ of the UNCAC requires action by parliamentarians at the country level as each nation has its own set of legislation, institution and procedures as well as governance practices.

The above approach however will also recognize the importance of regional chapters where they have been successful in driving the creation of chapters and producing guidance on common themes as illustrated in one of the responses that follows.

*“Technical assistance and shared tasks are needed to strengthen political control and oversight among member States. International cooperation among National Legislative Assemblies is required to deploy joint inter-parliamentary efforts allowing parliamentarians to play a key role in fighting corruption by exchanging experiences, data and information leading to the extent possible of improved local regulatory and institutional frameworks for prevention, detection and penalization of corruptive practices.”<sup>3</sup>*

## Introduction

### About the GOPAC Monitoring Program

The purposes of the monitoring program are to:

- help to link and harmonize GOPAC programming across countries, regional chapters and GOPAC Global Task Forces in support of needed improvements that have been identified in countries;
- provide action oriented learning opportunities for parliamentarians;
- help build coalitions to implement these reforms, both within Parliament and with other stakeholders and citizens;
- provide an incentive for further action by identifying the feasibility of making improvements through access to colleagues with experience and being part of complementary regional and global initiatives;
- demonstrate to the public and development agencies the potential positive roles parliamentarians can play in support of global initiatives, such as UNCAC, in preventing corruption and therefore contributing to achievement of the Millennium Development Goals; and
- engage members in understanding the GOPAC policy positions, the factors that affect their capacity and performance, and the nature of the coalitions that need to be formed to make the identified reforms.

The GOPAC monitoring program builds on earlier steps as shown below based on support from the Canadian International Development Agency (CIDA), USAID and World Bank in addition to the other donors and support listed below.

- 2002 Ottawa: Conference support was provided by the Parliament of Canada for first meeting and initiation which established the GOPAC Constitution and identified potential regional chapters.

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<sup>3</sup> All quotations in this document have been taken from the self-assessment reports.

- 2006 Arusha Conference: a global agenda of actions was identified by parliamentarians and is now reflected in the five GOPAC Global Task Forces<sup>4</sup> for improving parliamentary capacity and performance - each working with expert organizations and partners to lead global activity in clarifying action needed and developing and motivating corrective actions.
- 2008 Kuwait Conference (supported by the National Assembly in Kuwait): GOPAC established formal policy positions in each of the task force areas. The Global Task Force on the UNCAC, with advisors and partners developed these policy positions into a checklist for parliamentarians, an early form of benchmarking parliamentary performance.
- April 2009-March 2010 GOPAC and UNDP (with advice from UNODC) developed a self-assessment Toolkit for parliamentarians with to assess strengths and weaknesses, as well as identifying achievements and where further initiatives are needed. This effort was also supported by USAID in the development of an on-line version of the Toolkit. The Toolkit has evolved from the GOPAC checklist to more effectively provide benchmarks or potential indicators or standards for parliamentary performance.
- As well as encouraging country chapters to prepare needs assessment reports, based where possible on multi-stakeholder input, the Toolkit was tested for proof of concept with parliamentarians in regional workshops in:
  - Ghana (March 2010) with UNDP financial support;
  - Paraguay (July 2010), with support from the Senate of Paraguay and UNDP; and
  - Philippines (September 2010), with support of the Senate of the Philippines, World Bank Institute and The Asia Foundation.
- In addition to the above, the Toolkit was introduced in the annual general meetings of ARPAC (Lebanon, May 2010) and APNAC (January 2011). Also there will be a workshop on the Toolkit at the Mexico City Conference in March 2011.
- 2011: UNDP will pilot test more structured use of the Toolkit with scoring criteria, technical support for parliamentarians and facilitation.

### About the information in this report

Respondents used either the short or long versions of the Toolkit and in some cases both.

Reports by	Country	#
GOPAC chapters	Gambia, Ghana, Lebanon, Liberia, Mali, Mexico, Morocco, Palestine, Philippines, Timor-Leste, Yemen, Zimbabwe	12
Individual GOPAC members <sup>5</sup>	Bangladesh, Bolivia, Burkina Faso, Cambodia, Cameroon, Chad, Colombia, El Salvador, Indonesia, Kenya, Malaysia, Mozambique, Nigeria, Pakistan, Paraguay, Peru, Sierra Leone, Tanzania, Uganda,	20

<sup>4</sup> UNCAC, parliamentary oversight/resource revenue transparency, ethics and conduct/immunity, anti-money laundering, participation of society

<sup>5</sup> For African countries, in some cases syntheses based on various sources were done by GOPAC Secretariat but approved by APNAC member(s).

	Zambia	
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The information in this report is illustrative. It is intended to provide an early indication of the type of results that GOPAC is already achieving and suggests the potential for further developments in preventing corruption. An underlying theme is that parliamentarians can prevent corruption through their democratic roles (legislation, oversight and representation). In some cases the examples or information applies more broadly to the work of Parliaments in terms of sharing lessons learned.

The information that follows is organized under three headings for each GOPAC Global Task Force, i.e.

1. examples of strengths and achievements that may be products of GOPAC chapters and champions;
2. areas that need to be addressed; and
3. planning implications for each task force.

All of the following text is subject to the results of the GTF workshops at the Conference and comments from GOPAC members and partners.

## GTF on UN Convention Against Corruption (GTF UNCAC)

### 1. Examples of strengths and achievements

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The self assessment identified examples of the type of achievements that are linked to GOPAC chapters as follows.

**ARPAC:** A regional guide on the UNCAC was produced for parliamentarians in 2009. This report contained many examples of how parliamentarians could play their democratic roles in preventing corruption. From these examples the report drew out insights on the roles that parliamentarians could play. This information is provided in Annex 1.

**APNAC:** This regional chapter also produced a draft handbook for parliamentarians on corruption and organized a session called the "Training of Trainers". Individual members from national chapters (15 MPs in total) were sent to Kampala to participate in general training on anti corruption using 7 modules and a tailored handbook. The participants were to return to their national chapters and provide training to their colleagues. This activity (and its results) will be followed up on in 2011. The modules are considered to be a living document that is open to discussion and alteration. These documents will be shared with other regional chapters.

**Mali:** The National Assembly held an information and awareness session for all members of Parliament, civil society organizations and media on UNCAC under the Program to Strengthen the Capacities of the National Assembly (RECAN in French) in December 21-22, 2009 financed by UNDP-Mali.

- Malian parliamentarians set up this network in February 7, 2008 with the following objectives, to
  - increase parliamentary capacity;
  - provide members with tools and support on governance and corruption;
  - educate the public and increase awareness; and
  - contribute to national, sub-regional and international levels on issues.

To date the network has

- developed partnerships with African and global parliamentary organizations;
- prepared an action plan with 14 core activities;
- obtained \$57K USD from UNDP for a study of political corruption in Mali's electoral process;
- negotiated financing with World Bank country office for study on accountability and transfer of resources to decentralized collectives.

The action plan may lead to written and oral questions, enquiries and interpellations of the Government.

**Zimbabwe:** Workshops were held on the legislative review of the laws related to anti-corruption, including a preliminary analysis of the legislation for the Zimbabwe Anti-Corruption Commission (ZACC) which is seen as a critical component. The chapter then secured funding for comprehensive research on the legislation for ZACC. (It is now seeking funding for a workshop for 40 MPs to sensitize them on the proposed amendments to the current legislation.) This APNAC chapter also has a strategic plan and the UNDP-GOPAC Toolkit has been factored into the Chapter work plan.

**Peru:** A Special Multi-party Standing Committee was created in 2009 in the Congress of the Republic. The Committee is responsible for the Oversight, Monitoring and Evaluation of the National Plan Against Corruption. This committee is also responsible for monitoring the National Plan Against Corruption for the Forestry and Wild Fauna sector as a result of signing the Free Trade Agreement with the USA. This oversight role was at the request of the General Forestry and Wild Fauna Directorate.

**Burkina Faso:** In 2009, with UNDP support there was an awareness session for MPs on UNCAC which involved members and other MPs, Chair of Auditing Commission and civil society.

**Yemen:** Parliament has approved UNCAC and a presidential decree has been issued in support of the Convention. Parliament has also passed an Anti-corruption Act that included the establishment of a Supreme National Commission to Combat Corruption, which was later formed. Legislation was also passed for financial bids on government contracts. A coalition of civil society organizations to combat corruption is also active.

**Zambia:** The chapter prepared a strategic plan with a full SWOT analysis (strengths, weaknesses, opportunities and threats) and also compiled a listing of all the laws, conventions, organizations, laws and policies in Zambia that are expected to play a role in the prevention of corruption. This strategic plan may provide an example for other chapters on how to approach strategic planning at the chapter level.

#### **Lebanon:**

- The UNCAC was presented to the Parliament after a chapter member questioned the government officially in a parliamentary session about the reasons for the delay in the implementation of UNCAC.
- MPs from various political blocs have submitted two law proposals in order to implement UNCAC, namely: legislation for the right to access information; and whistleblower protection legislation.
- LebPAC has also submitted a legislative proposal to amend and strengthen the law that aims to fight corruption in the public sector. This draft law is currently under consideration by the Parliamentary Committee for Administration and Justice. These proposals are to be listed on the committee agenda to be discussed and endorsed after being submitted to Parliament.

## **2. Areas that need to be addressed - UNCAC**

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- Lack of support for parliamentarians. In most countries where GOPAC chapters or individual members participated in the self assessment we confirmed that there is very limited or no support to parliamentarians to be engaged in the domestication of UNCAC. Education, training and parliamentary capacity building are needed for the entire cycle of UNCAC planning (including gap analyses), implementation and review.

*“Support for parliamentarians on anti-corruption initiatives is very limited; parliamentarians are not aware of UNCAC provisions and need to be educated to domesticate this Convention.”*



- Many parliamentarians are still not aware of the UNCAC which as most international treaties are managed by the Executive Branch. Further education of parliamentarians is needed to establish where there is a lack of information vs. lack of political will.
- Parliamentary engagement on domestication and implementation of the UNCAC may be limited because of weak constitutional authority afforded to parliamentarians.
- Lack of understanding by parliamentarians of their democratic roles. It is not clear at this time to what extent parliamentarians see that the prevention of corruption is a natural aspect of their democratic roles, i.e. ongoing work in legislation, oversight and representation can all contribute to ensuring UNCAC is embedded in culture of a nation.
- Only one respondent linked anti-corruption to good governance showing the need for increased communication on this fundamental tenet of GOPAC.

*“... still considers good governance as the most important pre-requisite criterion in ensuring sustainable socio-economic development with social justice and equity. Good governance needs to ensure compliance with legal procedures adopted by Parliament with equality, accountability and transparency.*

- Need for parliamentarians and Executive branches to work together. One country identified the need for both the legislative and executive branches need to work together to implement the UNCAC. Questions that need to be addressed in this regard are whether there are good examples of where such cooperation is working – this is currently not a question in the Toolkit; and whether special guidance is needed on legislative and executive cooperation and whether this guidance should distinguish between Westminster and Presidential systems.
- With a few exceptions, at this time it is not clear to what extent there is specific engagement of one or more parliamentary committees for the oversight of UNCAC. This is particularly important as there may be a gap between enacting laws and then whether these laws are actually being used in practice.
- Need to address issues in decentralized states. UNCAC is signed at the national level but in countries with multiple jurisdictions there may be a disconnect as funding travels from the central government to the municipal level. This is an area that requires further study in terms of the roles of elected officials at different governance levels.
- Lack of parliamentary oversight on anti corruption agencies. Based on the survey results to date there is no or little parliamentary oversight of anti-corruption bodies. The exceptions are however Zimbabwe and Kenya. In one country parliamentary oversight of such a body is not permitted under the Constitution.
- Also on anti-corruption bodies, an APNAC/Parliamentary Centre survey<sup>6</sup> of parliamentarians in 14 countries found three principle impediments (see oversight section as well): “the weakness of anti-corruption commissions and the difficulties in enforcing anti-corruption legislation – present a

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<sup>6</sup> Davies, Joanne (2008). A report: Parliamentarians and Corruption in Africa. The Challenge of Leadership and the Practice of Politics.

serious obstacle to the efforts of parliamentarians in raising public support in the fight against corruption.”

### 3. Potential planning priorities – GTF UNCAC

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**Important Note:** Where studies are called for in the priorities below and elsewhere in this report, these initiatives (similar to our approach on the Toolkit) are also seen to have equally important benefits in terms of building awareness, engaging members through consultation and building new partnerships and potentially leading to political coalitions. The studies are not seen an end in themselves.

- **UNCAC:** Increased training support, capacity building and strengthening for parliamentarians for entire UNCAC life cycle: gap analysis, implementation, oversight and review. This includes integrating modules on improving parliamentarians’ understanding of their democratic roles and how these can be used for preventing corruption, i.e. to send a message that preventing corruption is a natural part of their job to make the link to good governance and thereby complement specially funded initiatives and events.
- Funding for a study to determine what training elements are needed and can be created at international, regional and national levels.
- Study to determine how GOPAC, parliamentarians and Executive Branches can work more effectively together both in centralized and decentralized states.
- Initiate a special project on parliamentary oversight of anti-corruption bodies.

In addition to the above elements, new areas may be considered that are currently not in the Toolkit but part of the agenda for the GTF UNCAC workshop. These areas include:

- **GOPAC participation in Morocco CoSP 2011 and Panama CoSP 2013:** How do we ensure that parliamentarians are knowledgeable about the UNCAC and are part of country delegations? Also, what topic(s) should be addressed at the side meeting of parliamentarians in Morocco?
- **Oversight:** How do we engage parliamentarians in the UNCAC review mechanism and consideration of the findings of this and related conventions reports?
- **Partnerships and recognition:** How does GOPAC engage and get recognition from governments, the private sector and others that parliamentarians are also part of the governance solution in combating corruption?
- **Harmonization:** How can regional events be funded to link GTF work and regional and global efforts and establish networks of parliamentarians that can form coalitions for action? Such events have taken place in Latin America, West Africa and SE Asia. Other regions remain a challenge for funding. Also, APNAC has decided to mirror GTFs with task forces at the regional level. To what extent is this possible in other parts of the world?
- **International Anti-bribery:** Bribery is a serious form of corruption. What tools are needed to ensure that parliamentarians can understand and support the implementation and enforcement of the OECD Anti-Bribery Convention as well as the articles in the UNCAC? (Note that the full title of the

OECD convention is [OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.](#))

- The question remains of what combination of international, regional and country level support would best serve to strengthen parliamentary capacity in the prevention of corruption. This parliamentary strengthening is seen as essential as there are no mechanisms to engage parliamentarians in UNCAC planning, oversight and implementation. Parliamentarians need to be knowledgeable to be seen as an important partner. Comments by MPs included,

*“Donors are focussing on improved accounting, budgeting and financial administration but if the Executive is to be held accountable then the legislature needs to be involved and have a framework for inputs, outputs and outcomes. Need to put in place basic laws, ATIP, ethics and laws that complement UNCAC.”*

*“Corruption and governance issues often exceed the technical and financial capacities of a single state.”*

## GTF on Parliamentary Oversight (GTF PO)

### 1. Examples of strengths and achievements

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**Mali:** A Program to Strengthen the Capacities of the National Assembly (RECAN in French) with UNDP and partner agency financial and technical support was implemented.

**Timor Leste:** The National Parliament with technical support from The Asia Foundation established a Research and Technical Information (RTI) Directorate that assists MPs with research. The RTI consists of 6 researchers and 4 budget analysts. RTI researchers still need more training especially in budget analysis since there is not yet a Budget Office established within National Parliament.

#### **Philippines:**

- The country’s anti-corruption campaign is supported by the Senate through Committee on Accountability of Public Officers and Investigations or the Blue Ribbon Committee. It has the power of oversight on the entire government with primary aim of investigating allegation of corruptions in various agencies of government.
- In the 14<sup>th</sup> Congress, the \$329 Million USD foreign loan for a National Broadband Network, allegedly overpriced by about \$130 M USD to cover kickbacks may be considered one of the most controversial investigations undertaken by this Committee which generated a great deal of public attention and heightened public demand for genuine reforms. The government responded by cancelling the project. Resignations by high ranking government officials followed suit. Cases have been filed and investigations continue.
- Seven bills to strengthen Anti-Plunder and Anti-Graft and Corrupt Practices laws are now in Congress including extending the prescriptive period for filing graft cases from 15 to a proposed 30 years.

**Ghana:** This chapter has undertaken a pilot project on public procurement to examine processes and procedures relevant to the country's Public Procurement Act. The project aims to find ways for parliamentarians to engage and make inputs into the review of the Act in order to help reduce corruption in the public procurement system.

## **2. Areas that need to be addressed – GTF PO**

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*“Parliamentarians need to enhance their capabilities and obtain support from experts in economics, finance and accounting in order to better oversee the government’s financial business.”*

- The self assessments confirmed that there is weak parliamentary oversight capacity to examine budget and training is needed. For example, from the reports we received one or more of the following areas need to be addressed in many of the country reports:
- infrastructure needs:
  - no legislation to guide Executive Branch in executing state budget;
  - inadequate legislation and standards to appropriately control public expenditures and the use of financial instruments;
  - lack of authority for Public Accounts Committee;
  - no committee for review of audit reports;
  - lack of a mechanism to see if Executive Branch followed up on committee recommendations;
  - governance and accountability structures – e.g. one articulation was legislative body and mechanisms to follow up on effectiveness and efficiency of laws that concern corruption, oversight, and accountability;
  - budget for opposition;
  - sanctions for lack of compliance by government;
  - need for joint work between legislative and executive branches of government;
- timing - lack of time for detailed scrutiny of budget due to guillotine i.e. time allocated for parliamentary review or budget documents received late;
- training for MPs and committees needed
  - capacity of parliamentary committees, for example, lack of clarity on and understanding of operations of ministries;
  - professional development needed for parliamentarians and ensuring they understand their mandate and democratic roles, noted was the need for financial expertise which is lacking in parliamentarians;
  - there is a need for capacity development in oversight of international loans and other agreements
- need for expertise and trained staff
  - access to experts;
  - independent budget for parliament;
  - budget for parliamentary staff;
  - trained parliamentary staff;
- need for citizen engagement
  - lack of information to citizens and their engagement on the oversight work of parliament instead of leaving this in the hands of the media.

- In terms of oversight capacity we received many comments from different countries about the lack of information to parliament on government activity, for example:
  - no system or poor systems of performance reporting to parliament;
  - government does not report to parliament on anti-corruption;
  - standards for reporting on revenues and expenditures are too general;
  - public reporting comes in bits and depends on political interest;
  - although parliamentarians can request information there is no specific requirements re government accountability to report and timing;
  - lack of information on sensitive programs, e.g. security sector; and
  - inadequate communications infrastructure and IT access.
- Some countries expressed the need for an independent budget office as part of the solution to strengthened oversight capacity or as one respondent called it ‘a congressional technical unit’.
- Our current questions in the toolkit did not however draw out much information on oversight of public procurement although there were references to corruption in this area and contract splitting.
- The previously mentioned APNAC/PC survey<sup>7</sup> also found two obstacles in the oversight area with respect to addressing corruption:
  - “Strong **executive control** over the budget and the distribution of state services is a feature of many political systems across Africa, including those in countries that have undergone significant democratization. Parliamentarians find themselves disempowered by strong executives and unable to enforce practices that might increase accountability, transparency and proper representation.
  - “The **weakness of parliamentary committees** presents a real challenge to those MPs wishing to establish higher standards of probity within the parliamentary system, a problem that is often exacerbated when control of parliamentary business is held securely in the hands of the executive. Too few African Parliaments have effective committee systems, and it is rarely possible to properly scrutinize the behaviour of ministers or the senior civil servants who work with them. The development of parliamentary institutions is therefore a critical issue in any effort to combat corruption.”

### **3. Potential planning priorities – GTF PO**

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Potential work plan areas, based on workshop discussions and resolutions for this task force are as follows:

- our monitoring report confirms weak oversight in many countries. The Task Force should consider how this situation can be addressed including generic tools and guidance that can then be domesticated;
- in addition to regional differences, it is recommended that a special study is needed on parliamentary oversight and corruption prevention for Presidential and hybrid systems (vs.

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<sup>7</sup> Davies, Joanne *ibid*

Westminster systems). Such a study could then be taken out to country chapters to fine tune the approach depending on the legal and other infrastructure (e.g. parliamentary standing orders) for oversight in a particular nation. In Latin America, constitutional issues may also have to be considered thereby suggesting that a range of experts may be required to carry out this item;

- resource revenue transparency (see details in next section);
- The Task Force could develop a priority list of which specific oversight and related issues should be addressed. The current Task Force draft list is based on previous events and consultations includes the following:
  - public procurement;
  - independent budget offices;
  - oversight of development aid;
  - financial control frameworks (e.g. ensuring that there are rules for all financial mechanisms); and
  - role of Public Accounts Committees.

The new list should consider what elements should be added as identified by respondents that were provided in the preceding section, i.e. *2. Areas that need to be addressed in parliamentary oversight.*

- it may be beneficial to carry out an analysis of what partnerships with international agencies and others are needed at country levels. To date GOPAC has not pursued partnerships with academia and the area of parliamentary oversight might be a fruitful place to start.

## Resource Revenue Transparency (RRT)

*(Part of the Global Task Force on Parliamentary Oversight)*

### 1. Examples of strengths and achievements

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A number of GOPAC chapters have or are working with Revenue Watch Institute (RWI), i.e. Zimbabwe, Ghana, Tanzania, Yemen, Lebanon, Morocco, Jordan and Kuwait.

The Arab regional chapter of GOPAC, i.e. **ARPAC**, in partnership with RWI, Open Society Institute and the Arab Anti-Corruption Organization, and in the framework of their joint project "Transparency in Revenues", held an Experts Meeting in Beirut, 30/9/2009. Experts included the National Democratic Institute and local researchers who have developed the studies on transparency in revenues in the following GOPAC chapters: Yemen, Lebanon, Morocco, Jordan and Kuwait. The Meeting focused mainly on discussing the outlines of the toolkit for parliamentarians, which will be issued by ARPAC and on Transparency in Revenues.

The chapter in **Ghana** and the Parliamentary Centre Africa are planning a workshop after the GOPAC global conference for parliamentarians on extractive industries transparency with RWI and also plan to conduct studies on best practices in extractive industries.

**Zimbabwe:** RWI and the GOPAC chapter arranged training for parliamentarians on extractive industry issues with a particular focus on diamonds.

There appears to be an emerging parliamentary interest in oversight of contracts for the extraction of publicly owned natural resources, especially in Africa.

## **2. Areas that need to be addressed - RRT**

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- Lack of information. Corruption in the extractive industry sectors is a complex issue and generally information is not available. The survey results confirm that greater parliamentary engagement and clear information are needed in publicly owned natural resources.
- Areas identified for improvement. In addition to increased information and transparency the comments suggest that one or more of the following dimensions are needed in most of the countries that responded:
  - lack of an institutional structure to oversee resource revenues as they are transferred to the national budget;
  - training by experts (such as that provided by RWI) for parliamentarians;
  - legislation for publicly owned natural resources;
  - the establishment of governance and accountability structures;
  - parliamentary oversight of extraction contracts;
  - citizen engagement by parliamentarians on extraction contracts; and
  - in some countries Access to Information laws to ensure that contracts are transparent.

For example some reports noted that

*“Information however continues to be unclear or general. Information is scarce and it is impossible to ascertain that resources have been adequately used and in compliance with existing regulations. A special area of concern is the resources of a labour union in a state owned institution given total lack of clarity in the absence of legislation. A solid legislative framework is lacking in regard to oil sales surpluses. Clear rules contributing to more transparent allocation and management are required.”*

*“...the challenge has been for MPs to identify ways of ensuring that the Government and mining companies are transparent on these revenues...”*

*“Corruption in [country name removed] is defined by the authorities’ efforts to control the resources of the country.”*

*“Parliament’s oversight of ministries is focused on expenditure rather than revenue.”*

## **3. Potential planning priorities – RRT**

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Subject to the Conference workshop and resolutions, the PO-GTF could consider the following:

- the creation of a sub-committee on extractive industries to carry out an assessment of the areas that need to be addressed in the preceding section to determine priorities;

- GOPAC and RWI are sharing information and ideas at the international level but there may also be new opportunities for more work at the regional and country levels;
- work with experts and consultants to develop of a handbook for parliamentarians and use this as a basis for training events as it is likely that oversight in this area requires specialized knowledge; and
- build stronger partnership with Extractive Industries Transparency Initiative and Publish What You Pay.

## **GTF on Parliamentary Ethics and Conduct (GTF PEC)**

*(This task force includes immunity issue.)*

### **1. Examples of strengths and achievements**

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Seven studies were carried out as part of the joint project between Westminster Foundation for Democracy (WFD) and **ARPAC** and there is an analytical draft. Studies included work in Kuwait, Palestine, Jordan, Yemen, Bahrain and Morocco. In addition WFD has already requested ARPAC to ask country chapters about the possibility of ethics and conduct reform starting with the Handbook to launch the second phase and build on work at the country level, for example, in Lebanon, Iraq including the Kurdish region of Iraq and Jordan as well as regional programmes in the Middle East and North Africa region (MENA). Yemen and Jordan may pick up on ethics and conduct implementation.

ARPAC contacted national chapters urging them to send some concept notes on political ethics in their countries. Yemen, Palestine, Lebanon and Morocco have shown interest in lobbying for a code of conduct for MPs in their respective countries. Under consideration is a Regional Task Force to develop common elements and then have each country adapt this for its context. (ARPAC Secretariat)

**Zambia:** There is a pilot project in Zambia for the chapter to develop a Code of Ethics for Parliamentarians.

### **2. Areas to be addressed – GTF PEC**

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- The work of this task force can play a significant role in rebuilding the credibility of parliamentarians and governance institutions. Our survey found that parliamentarians themselves noted that the public perception of parliamentarians is negative in many countries as illustrated by the following excerpt:

*“Citizens have a negative view which is partly due to the distorted views of media and lack of appropriate positive dissemination of the activities of legislators. A large number of un-educated citizens have limited understanding of the legislative function and tend to blame parliamentarians for unmet needs. There is a strong need to curtail corruption and change the lack of credibility of legislators. We urgently need values and ethics to retake their place within the State and society.”*

- The draft APNAC Strategic Plan (Dec. 2010) also notes that “the public perception in Africa, whether real or imagined, that parliamentarians (or politicians in general) are corrupt. It therefore becomes increasingly difficult for MPs to tackle corruption and this is where a network like APNAC comes in handy. By having a membership that is beyond reproach and that generates genuine activism in fighting corruption, this tainted image of elected representatives can be redeemed.”



- At the Annual General Meeting of APNAC in January 2011 members expressed frustration that the demands placed on them by their constituents was not recognized by the international community. Parliamentarians in many African countries are expected to provide support to their constituents in the form of school fees, funeral fees, and helping to access to health care which are interpreted by the international community as being corrupt activities. There is also an assumption by the electorate that their parliamentarians should provide certain support during an election (e.g. T shirts, transportation to election booths) that may also be perceived of as bribery by international standards. These aspects raise the question of how to reconcile the concept of what the African citizen may feel to be a parliamentarian's role vs. the international community's interpretation.
- Parliament does not have credibility with the public and voters due to corrupt political party financing and electoral processes. The application of ethics and conduct to electoral processes may be an area to be considered. In some countries parliamentarians have acquired their seats through nepotism and vote-buying, which disqualifies them from effectively combating corruption. This was raised in the Annual General Meeting of APNAC. One chapter suggested that corruption in electoral process is too difficult an issue for a national chapter to address and that it should perhaps be done at regional or international level.
- Parliamentary ethics and conduct remains an important gap to address as well as related issues such as citizens' trust of governance institutions. Responses included the following areas that merit further attention:
  - some UNCAC signatory countries do not have an ethics and conduct regime for parliamentarians;
  - some are missing a conflict of interest regime;
  - lack of training for parliamentarians and ethics and conduct are not topics for MP orientation processes;
  - parliamentarians cannot come to agreement in this area, there are a number of examples where parliamentary ethics committees have not made progress for years;
  - where there are ethics and conducts regimes there may be gaps in the conflict of interest area;
  - declaration of assets by parliamentarians remains a difficult area;
  - lack of public education and outreach on political immunity;
  - ethics and conduct regimes are for the most part not evaluated for effectiveness;
  - lack of investigative and enforcement mechanisms;
  - need to go beyond criminal laws - true ethical conduct is beyond fear of criminal punitive measures; and
  - political parties may be seen as deeply corrupt – for example although there is no report from Mongolia or an active chapter a recent report states that 58.4 percent (of citizens) perceive political parties are deeply corrupt, 55.0 percent perceive the parliament is extremely corrupt.<sup>8</sup>
- Potential approaches for progress could include:
  - ensuring that parliamentarians themselves as well as citizens understand parliamentary democratic roles (legislation, oversight and representation) and how these can be used to prevent corruption. This implies a greater communication effort as part of this task force;

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<sup>8</sup> Independent Authority Against Corruption Of Mongolia, The Result of the Mongolian Corruption Index 2009. (Summary) Ulaanbaatar City. 2010 p.9

- increasing the number of effective parliamentarians – one report noted that there is a limited group of parliamentarians who are effectively performing their role given the authority and means available to them;
  - building on parliamentary procedures and rules (standing orders) where possible; and
  - rolling out the GOPAC handbook out to regions and ensuring that the ethics and conduct material is domesticated to tie better with national culture and legal infrastructure.
- Similarly there are issues around immunity, and the greatest need that comes through on our survey was the need for public education on immunity. This message was echoed by countries in more than one GOPAC region.
  - One area that may merit further examination is whether there are appropriate procedures for waiving immunity. In some of the responses MPs noted that Parliamentary immunity is often used to bypass accountability and indulge in corrupt behaviours such as bribes and favouritism.
  - Colombia has however taken a different approach and there is no statute for immunity as a deliberate decision to make the offense even graver. There is only one judge that takes precedence and only the highest court in the land, the Supreme Court, can hear the case. Inviolability only applies to votes and opinions for duties of office.

### **3. Potential planning priorities – GTF PEC**

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Subject to the discussions at the Conference and ongoing consultation with WFD and others it is likely that the overall approach of this task force will consist of three strategic thrusts if the proposed resolutions are accepted, namely to

- monitor the use of the Handbook and identify regions and countries to carry out training for parliamentarians where there are opportunities for parliamentary reform in ethic and conduct regimes;
- regionalize guidance and approaches; and
- expand the global ethics and conduct library to respond to the needs and issues identified by parliamentarians.

In addition to the above new potential issues could include the following.

- Ethics can play an important role in increasing public trust in Parliament including evidence on parliamentarians' conduct. This task force could undertake a role to help parliamentarians understand and play their core democratic roles – representation, oversight and legislation.
- Identify additional partners to organize and fund workshops on the handbook at the regional and country levels;
- Initiate a global study on ethics and conduct regimes for parliamentarians across all countries that are signatories to the UNCAC to identify best practices and gaps, possibly with academic institution(s) and other partners.
- Develop guidance on public outreach and education. Our monitoring report suggests that citizens do not have a good understanding of this area and the actual role of parliamentarians in some countries.

- Identify additional issues to expand the ethics and conduct library, e.g. rules relating to the personal demeanour of parliamentarians and relationships between political groups which could be covered by parliamentary rules of order; or shielding parliamentarians from undue influence - as is advocated in the Handbook – rather than seeking to regulate on relations with lobbyists or even to prohibit such relations as was the case in some countries.<sup>9</sup>

## GTF on Participation of Society (GTF PoS)

### 1. Examples of strengths and achievements

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**Uganda:** The chapter worked with civil society organizations on the planning and dissemination of the `citizens manifesto` although chapter involvement after this point was limited due to funding and other issues. The Citizens Manifesto is aimed at mobilizing Ugandans to generate a citizen vision and demands as a basis for a social contract with elected leaders. It also aimed, among other things, to bring about change in the way citizens are governed by creating a popular citizen-rooted agenda upon which political leaders, institutions and government can be called to account. The manifesto helped citizens to identify issues that parliament should be addressing and was carried out countrywide with radio shows, consultations etc. Parliamentarians were `called out` on promises they had made and whether or not they had delivered on them. Ugandans are using the manifesto in the upcoming elections to question MPs.

**Timor Leste:** The GOPAC chapter arranged a seminar on drafting a law on anti-corruption which was attended by representatives of civil society, media and also academics. All agreed that the draft law should be part of a series of discussions with all parties (State agencies, government and most importantly civil society and experts).

At the end of the seminar, led by GOPAC Timor-Leste, representatives of civil society and individuals officially declared the establishment of National Anti Corruption Network.

The Network, which will be meeting soon, aims to:

- promote the participation of civil society, private sector, and State Agencies through a open dialogue and conducting programs;
- promote partnerships between civil society, private sector and State Agencies to establish sustainability cooperation between them; and
- provide space and opportunity for public to participate, to share ideas and experiences about strategies in combating corruption.

**Lebanon:** Civil society and its representatives and experts participate effectively in influencing legislation and public policies. One of the most influential and organized groups includes the National Alliance for Transparency which was launched and presided over by the chapter. It includes MPs, representatives from the Ministries of Justice, Economy, Interior, professional syndicates, civil society bodies such as the Youth Shadow Government, ARPAC, independent lawyers etc. This group has worked on drafting the

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<sup>9</sup> At a GRECO event in 2010, the Chair noted that lobbying is part of political life and it is important to bear in mind that not only lobbyists and other interest groups, but also governments, which would not be covered by regulations applicable to lobbyists, exerted pressure on and seek to influence parliamentarians.

law proposals mentioned under the GTF UNCAC section and on following up and endorsing these laws. The group also worked on the Toolkit response.

**Timor Leste – another example:** A sub-committee of the Parliamentary Committee of Economy, Finance and Anti-Corruption was established – called Committee C. In Nov. 2008 and April 2010 Committee C organized international conference on corruption in Dili to establish a network of independent state institutions and civil society to fight corruption. The Conference resulted in the creation of a GOPAC chapter in Timor-Leste and several recommendations such as to draft the Anti Corruption Law, Money Laundering Law, and creation of National Banking. These laws will be debated within the government in the coming months.

**Ghana:** The chapter has developed a strategic partnership with the Integrity Initiative (local chapter of TI). (There may be many other such partnerships at the national level but more systemic survey would need to be done by GOPAC.)

### **Other**

A number of reports recognized the important role played by civil society and in some countries GOPAC chapters serve as conduit for civil society engagement. For example reports stated that:

- MPs don't like to put things in writing so civil society plays an important role in doing this;
- civil society organizations help create a balance with MPs given the opportunity;
- there is a real need to work with civil society as they have done surveys on anti-corruption. Having civil society organizational presence also helps to prevent corruption in contracts for public procurement;
- most of the information is accessed through civil society organizations and the press; and
- the chapter has decided to involve civil society in all workshops and seminars and for them to present papers on given topics.

## **2. Areas that need to be addressed – GTF PoS**

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- The findings suggest that the parliamentarian engagement of citizens and civil society on anti-corruption is hampered by the following:
  - lack of public awareness of the UNCAC, and even where anti corruption may be discussed there is no reference to UNCAC;
  - lack of resources for UNCAC domestication (this was noted by nearly all country reports), including parliamentary outreach;
  - parliamentarians do not as a rule engage citizens in legislative and budgetary matters (cultural);
  - this representation role is not fulfilled by parliamentarians and instead is being done by civil society – there are examples of where civil society organizations have brought together their sector and parliamentarians;
  - lack of information for citizens, access issues;
  - parliamentarians do not have reports back to their constituencies or do not include UNCAC as a topic; and
  - general lack of political will to engage citizens and civil society as well as academia and private sector.

*“Public perception is the starting point in the battle against graft and corruption. The first step to solving a problem is to recognize it exists. Principles mean nothing if the public perceives otherwise. 77% of Philippine population believes government efforts to curb corruption are ineffective.”*

- The quality of public reporting by government is another area which may not lead to the most effective citizen engagement. Flaws with public reporting systems include:
  - the reports are not addressed to citizens as end users;
  - they are not designed to present the progress made or impact of public policy implementation because there is no system in place to assess public administration that links goals with results assessment; and
  - there is no comprehensive evaluation and monitoring mechanism allowing the public to be informed.
- One report suggested that a good way to overcome this lack of engagement is through allocation of financial and other resources for studies which can then be used to increase citizen awareness of their roles in reporting cases of fraud and corruption.
- Not many reports made the link between transparency and public engagement and the fight against corruption but there were exceptions, e.g. the report from Morocco emphasized the importance of this.

### **3. Potential planning priorities – GTF PoS**

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This particular task force requires a preparatory meeting but based on the findings of our monitoring survey there appear to be a number of potential areas for early work which could include some or all of the following:

- increased communication by GOPAC chapters and public outreach to build greater public awareness of the UNCAC with a view to engaging citizens, civil society, media, academia and others on UNCAC implementation;
- where the representation role is not fulfilled by parliamentarians but by civil society, promote coalitions of parliamentarians and civil society;
- how best to promote transparency and access to information laws; and
- capture examples of good practices and lessons learned, especially from the African region where there have been examples of social or community auditing and other approaches.

## **GTF on Anti-Money Laundering (GTF AML)**

### **1. Examples of strengths and achievements**

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- Although there are exceptions, many of the responding countries indicated that anti-money laundering (AML) legislation has been implemented.
- AML provides an example of how international standards, (such as the FATF 40+ 9 Recommendations) can influence national legislation and administration for example by providing a framework for: AML legislation; related structures, such as Financial Intelligence Units (FIUs); and assessments of results.
- It was also noted that there are two separate streams in AML: 1. prosecution and penalization; and 2. prevention. (Note that the GTF AML work that is currently being done on Guide uses two streams as Prevention and Recovery.)
- Some respondents noted that the AML area may have implications for more than one parliamentary committee.
- **Lebanon:** A special committee related to the central bank follows up on the issue of money laundering and how to prevent it in cooperation with private banks.

## 2. Areas that need to be addressed – GTF AML

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- A common theme in the responses was that AML legislation alone is not sufficient. Parliamentarians need to ensure that the laws are implemented, including the establishment of the necessary structures, like FIUs, that the laws call for; and in some cases capacity building is needed.
- Another area that needs further examination is the gaps in AML legislation.
- It is not clear to many parliamentarians to what extent and what would be the best ways that parliamentarians could prevent ML beyond the implementation of legislation. On the other hand, one analysis suggested that there is:

*“a need for ongoing interactive actions to be deployed among the relevant bodies and organizations and civil society so it can be truly known whether standards or regulations have had a positive or negative effect.” ... In one country... “regulatory agencies are being mapped as a first step to produce an initial diagnostic for viable and documented proposals which in turn can be translated into strengthened institutions. You need bills but also enactment and enforcement.”*

- Although FATF reports are publicly available it has also been noted that if these were more widely known then transparency would be greatly increased. These reports contain the results of country assessments of implementation FATF 40+ 9 Recommendations carried out by the FATF and the 8 FATF style regional bodies.
- Parliamentary training and engagement in AML beyond the passing of legislation appears to be weak, including oversight and reallocation of recovered funds as well as involvement in the funding for the financial intelligence units.

## 3. Potential planning priorities – GTF AML

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Subject to additional planning priorities that may be identified in the Conference workshop, a key project for this task force is to finalize the GOPAC AML Action Guide for Parliamentarians<sup>10</sup> and the Strategic Plan to roll it out, incorporating conference workshop advice.

The Action Guide and the Strategic Plan to roll it out will then form the basis to move the work forward at global, regional and country levels, i.e. if the proposed resolution is accepted, to work in partnership with the FATF, the FATF style regional organizations, and other expert bodies to:

- support the training of parliamentarians who find themselves in any of the three situations spelled out in the footnote below, to carry out their responsibilities;
- update the AML section of the UNDP-GOPAC Toolkit and use it and the results of the FATF organizations' country assessments to identify progress as well as to identify priority countries and regions where parliamentary action is needed and to support that action; and
- regionalize guidance and approaches.

## Lessons learned on Toolkit and next steps

As noted earlier the Toolkit was developed in partnership with UNDP and benefitted from the advice of UNODC.

In late 2010 UNDP hired consultants to develop:

- a narrative to accompany the toolkit for parliamentarians on the UNCAC; and
- scoring criteria for the long version of the Toolkit.

One of the lessons learned to date is that technical support is needed so that parliamentarians can come together to truly address the complex corruption issues that the Toolkit covers. This technical support would also go a long way to ensure that the self-assessment is carried out in a multi-stakeholder approach to add greater credibility, i.e. the engagement of civil society, media, academia and government officials in the self-assessment process.

The next step will be a special workshop at the Conference on the Toolkit chaired by UNDP. Parliamentarians will be invited to provide feedback and comments on the version of the Toolkit with scoring criteria.

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<sup>10</sup> The **Guide** can be used by Parliamentarians: i) in countries where AML legislation does not exist, to assist in the development of such legislation, in the design and implementation of a Financial Intelligence Unit (FIU) and in establishing effective law enforcement and judicial regimes to combat this increasingly challenging criminal activity; ii) in countries where AML legislation is in force, but not working effectively and/or not accompanied by a mandated and adequately resourced FIU or other key stakeholders in the AML regime, the **Guide** can be a source of information that parliamentarians can use to question Ministers, and to hold their respective governments to account; and iii) in countries that are signatories to the UNCAC, the **Guide** and the GOPAC-UNDP *Toolkit* can assist parliamentarians ascertain to what extent their government has complied with the AML provisions of the UNCAC, and assist in efforts to promote this agenda.

Once these comments are factored in it is expected that there will be a UNDP funded pilot in a selected country of the Toolkit version containing the scoring criteria and also to test the associated handbook on UNCAC.

## Draft Conclusions

This report, subject to deliberations and decisions in Mexico City, suggests some key areas of action at the global level in addition to the more detailed GTF work plans that will be developed after the Conference.

### 1. Informed and engaged members

There is a need to start with informed parliamentarians who are politically willing to become champions. GOPAC has an advantage over some parliamentary networks because it allows both former and current parliamentarians to hold membership. This provides an opportunity for mentoring and to some extent corporate memory in GOPAC chapters. Under this broader issue of informed parliamentarians we need to ensure improved parliamentary knowledge and understanding of UNCAC and related Conventions. Effective leadership for needed capacity and performance improvements require a good understanding of:

- the UNCAC and its implementation procedures, as well as those of other international Anti-Corruption conventions; and
- the democratic roles of parliamentarians – representation, legislation, and oversight – as they relate to corruption prevention. The information from the initial round of country assessments indicates that parliamentarians need additional information and training on these matters.

### 2. Strong country chapters.

Corruption can be combated at international levels and UNCAC is a prime example of how international standards and expectations can be set. However the actual changes that need to take place (e.g. legislation) must be made in individual countries. In this regard, GOPAC plans will likely factor in:

- building **strong country chapters** composed of knowledgeable parliamentarians that can use the Toolkit and other instruments to assess parliamentary performance and identify priority areas for reform in their country;
- promoting a multi-stakeholder approach, i.e. a key characteristic and GOPAC expectation is that chapters will work with others to build coalitions with other stakeholders such as civil society organizations, local offices of international agencies, donors, media, academics and others; and
- creating additional chapters where countries have ratified the UNCAC.

### 3. Benchmarks and monitoring

For funding sustainability as well as learning and sharing across the network, GOPAC chapters need to be able to demonstrate progress. In that regard our plans must also consider including a **monitoring program** which will aim to ensure disciplined and credible assessments of parliamentary performance and make these assessments more credible by adopting a multi-stakeholder approach. An annually updated review, based on an evolving Toolkit and multi-stakeholder process is suggested. UNDP also indicates it will now pilot a more disciplined approach by providing of facilitation and technical support in countries.



**4. Engaging citizens**

Politics and change are local phenomena. There is a continuing need for an improved communication approach, i.e. improving public understanding of how parliamentarians can be part of the solution as well as the harmful effects of corruption on development (e.g. reaching Millennium Development Goals). Since the public indicates that integrity of parliamentarians is often weak this effort could be linked to the task force on Ethics and Conduct and the handbook developed in partnership with the Westminster Foundation on Democracy.

## Annex 1: ARPAC Handbook for Parliamentarians on the UNCAC

A regional guide on the UNCAC was produced for parliamentarians in 2009. This report contained many examples of how parliamentarians could play their democratic roles in preventing corruption. From these examples the report drew out insights on the roles that parliamentarians could play, i.e. their engagement is essential in:

- strategic planning, and the subsequent assessment and diagnostic activities;
- strengthening institutional arrangements to combat corruption, especially if legislative amendments or new legislation is required. Parliaments should ensure that emerging or activated institutions are provided with the necessary financial resources through the adoption of general budgets, and monitoring;
- parliamentary oversight of administrative measures<sup>11</sup>. This role however cannot be effectively undertaken unless there is easy and adequate access to information by parliamentarians;
- discussing reports tabled in Parliament in the financial, political, administrative and judiciary dimensions of government;
- guaranteeing the integrity of the public service by ensuring that sufficient human resources, training, and a sound working environment;
- calling upon the government to establish independent anti-corruption bodies, with enough financial and human resources to perform duties properly, especially in terms of development and implementation of coordinated anti-corruption policies, and dissemination of knowledge, education and awareness of the risks of corruption and the need to prevent it;
- monitoring procurement i.e. the application of precise criteria in government procurement, if available, and requesting the government to develop transparent criteria for this purpose if unavailable;
- urging the government to adopt laws on access to information, and requesting it to apply these laws by facilitating the access to information consistently with transparency requirements;
- holding the government to account on corruption committed in the private sector, and the need to criminalize such practices and prosecute;
- urging the government to cooperate with civil society organizations re Article 13 of UNCAC which provides for the participation of society in the fight against corruption, and to play the role of the custodial and supporter of such initiatives;
- asking the government about the adoption of a draft law to protect whistleblowers of crimes of corruption;
- urging the government to coordinate between the institutions of government, monitor progress and direct the question to the government about the extent of coordination between its authorities in this regard, in addition to urging the government and requesting it to complete such reports; and
- urging their governments to engage in the Arab anti-corruption and Integrity Network<sup>12</sup>.

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<sup>11</sup> UNCAC implementation and review requires a wide range of measures that are not limited to legislation but also include what the UNCAC calls "administrative measures, e.g. binding decisions taken by the management in the context of government organization's mandate and regardless of the different nomenclature of these decisions in the Arab countries. (Articles 7, 8, and 9).

<sup>12</sup> The Arab anti-corruption and Integrity Network was launched during the Regional Conference on Strengthening cooperation between the anti-corruption bodies and the development of preventive mechanisms, held by the UNDP Programme on Governance in

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the Arab Region, in Amman (Jordan) in 29-30 July 2008, under the auspices of the Prime Minister Nader Dahabi, with the partnership of the Anti-Corruption Commission in Jordan, with the coordination of the League of Arab States, and with the cooperation of UNODC and OECD.