Preventing corruption:
A Self-Assessment Tool for Parliamentarians

1. **CONTEXT**

2. **OBJECTIVES**

3. **METHODOLOGY**

1. CONTEXT

Context

- **UNCAC Review Mechanism & 'self-assessment checklist'**
  - Tool to enable State parties to report on their implementation efforts & identify needs for technical assistance
  - But – A process which tends to be led by the Executive, with little input from the Legislative and almost none from non-state actors
  - But – Checklist responses are confidential: Up to Government to choose to publish them or not.

Context

- The Conference of State Parties to the UNCAC encourages States to prepare their responses to the self-assessment checklist **through broad consultations** at the national level with all relevant stakeholders.

- This opens the possibility for **parliamentarians** to actively seek a strong role in the self-assessment exercise.

Context

- The self-assessment exercise may provide a new opportunity for **dialogue and cooperation between the three States' powers** (legislative, executive and judicial) on *actual implementation* of anti-corruption reforms.

Context

There is no tool at the intersect of parliamentary performance and corruption.

Parliamentary performance assessment tools

Corruption assessment tools
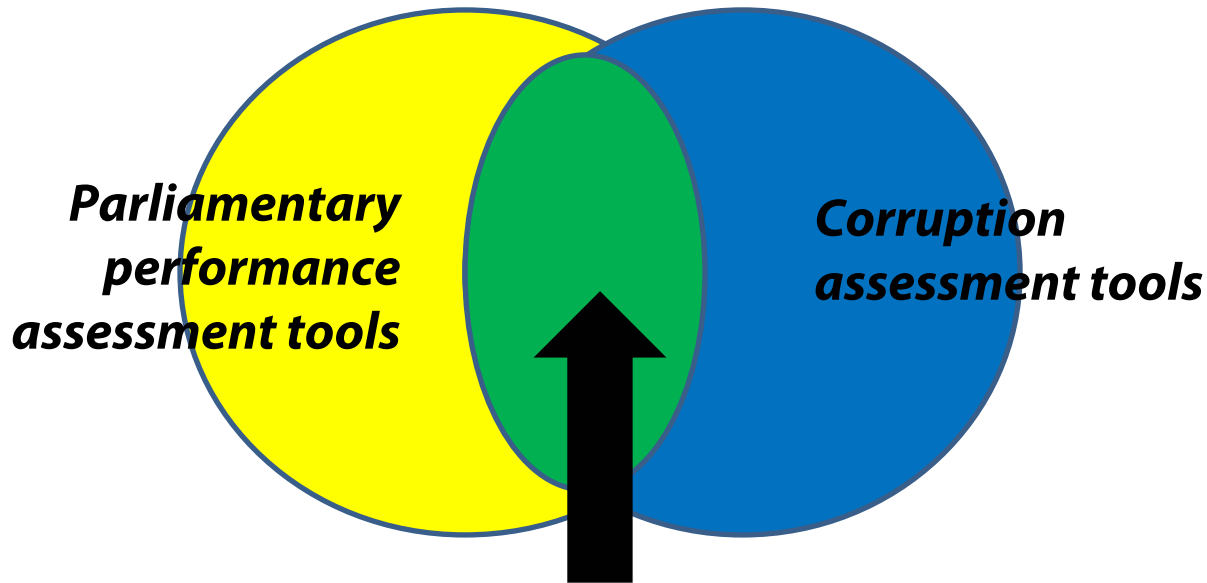
This toolkit is an attempt to fill this gap.

2. OBJECTIVES : What this Toolkit is, and what this Toolkit is *not*

- This Toolkit is **not** intended to gather information on what parliamentarians think about the government's performance;

- This Toolkit is **not** intended to rank parliaments and compare their performance on an international index;

- *It is to provide a framework for parliamentarians to discuss their own performance in preventing corruption.*

Objectives of the Toolkit

1. To highlight the important **role of parliamentarians in preventing corruption** and track parliamentary performance in this regard;

2. To facilitate a **more active parliamentary involvement** in the design, implementation, oversight and monitoring of UNCAC and/or national AC strategies;

3. To identify gaps where **parliamentary strengthening** may be needed;

4. To facilitate **dialogue between the Executive and the Legislative branches** on anti-corruption reforms;

5. To help identify areas where **new coalitions** of parliamentarians, government officials, international agencies, and civil society organizations can lead to positive actions in the prevention of corruption.

3. METHODOLOGY

Three 'versions' of the Toolkit

1. Summary Toolkit

- A 'quick' needs assessment tool useful for the identification of **entry points for technical assistance**

- MPs can do the assessment **on their own…**

- …but also useful as a tool **for MPs to engage with other actors** (other oversight institutions, CSOs, academics, etc.) and **to build political coalitions** on issues related to corruption prevention

- <u>BUT</u>: Open-ended questions make it **harder to define with precision what a 'yes' or a 'no' really means**

- <u>AND</u>: **Harder to track progress over time** (i.e. a 'yes' this year might mean something else than a 'yes' next year…)

Three 'versions' of the Toolkit

2. Main Toolkit

- **More in-depth** diagnostic
- Allows for a **wider range of actors** (MPs, parliamentary staff, government, Anti-Corruption Commission/Supreme Audit Institution, research institutions, CSOs, etc.) to take part in the assessment, some as **'data providers'** (i.e. information sources) and others as **'data users'** (i.e. actors who will be in a position to draw from assessment results to build multi-stakeholder coalitions to address specific issues, to propose legislative/policy reform, or...)
- Therefore can provide a **platform for a national dialogue** on corruption prevention efforts
- _BUT same caveats as for the Summary Toolkit..._

Three 'versions' of the Toolkit

3. Main Toolkit *with assessment criteria*

- Allows for the assessment to be **based on evidence / on objective criteria**, to maximize the credibility & robustness of assessment results (which will increase likelihood that results are *used* in planning & decision-making)

- Allows for **tracking progress over time in a given country,** using the same objective criteria to repeat the assessment periodically

How to use the Toolkit

- **How to initiate the process:**
  - An assessment initiated by the president or speaker of the parliament is likely to carry the greatest political weight;
  - Could also be initiated by a parliamentary committee on anti-corruption, or an ad hoc parliamentary group established specifically for conducting this assessment (such as a national GOPAC chapter)

How to use the Toolkit

- **Who should participate:**
  - Self-assessment should be **non partisan**, involving parliamentarians from both opposition and ruling parties.
  - Inviting **other actors to take part** in the assessment, such as civil society groups, journalists, government officials, academics, national experts, etc. is likely to provide valuable perspectives that may enrich the process ('national expert group' to check reliability of results & help formulate recommendations)
  - In some cases, the use of **external facilitators** such as UNDP at the country level or GOPAC at the regional level may be considered.

How to use the Toolkit

- **Sources of data:**
  - *Ongoing work:* Will list 'likely' **existing information sources** which could be used for each question, e.g. info from the parliament's secretariat, the national anti-corruption commission, etc.
  - *Ongoing work:* Will provide guidance on how to use **complementary data** (e.g. input vs. output; *de jure* vs. *de facto*; etc.) in order to obtain a more complete picture of parliamentary efforts in preventing corruption

How to use the Toolkit

- *Suggested* 'assessment criteria':
  - To enable a more objective, evidence-based assessment by pointing to specific aspects of a question which should be considered before responding 'yes' or 'no'
  - Countries should revise the '*suggested'* assessment criteria to fit their particular country context (no one-size-fits-all criteria!)
  - Where more research is required in order to address a particular question, parliamentary staff or other experts may be engaged to help

Assessment criteria – an example

- ***Is the budgetary process conducted in a** transparent **manner in the debating stage (i.e. before final approval), with** active involvement by parliamentarians**?***

- What is deemed a 'transparent process' for one person may be seen as a lack of disclosure for another!

- Some assessment criteria which may be considered to earn a 'yes' score :
  - Budget debates are open to parliamentarians
  - Nearly all budget negotiations are conducted in these official meetings
  - Records of these proceedings are easily accessible
  - Authors of individual budget items can easily be identified