STEPS for Anticorruption

Sixth Ministerial Conference of the (ACINET)

15-16 April 2018, Baghdad

EUY WHAN KIM
POLICY ADVISOR ANTICORRUPTION, UNDP

Content

I. Basic premise
II. Situation
III. Necessary Conditions
IV. Sufficient Conditions
V. Conclusion

I. Basic premise

- ✓Why we need Anticorruption Policy?(AC)
- ✓Why ACA(Anticorruption Agency) fails?
- ✓There is a corruption-friendly culture, government?
- ✓Anti-corruption policy does require large budgets and big organizations?

II.Situation : There is not a single road to Mecca

- Cons

- Dictatorship ,Authoritarian Government
- Shrinking civil society space
- absence of a national strategy to fight corruption
- anti-corruption laws becomes more lip service than real

- Pros

- Powerful Leadership
- Strong Government
- ACINET
- Regional Bureau for Arab States, UNDP
- Strong heritage and Powerful Potentiality

1. **Strong government**
2. **Set up ACA**
3. **Establish Legal Background**
4. **Focus on prevention**
5. **Learn from Best Practices,**

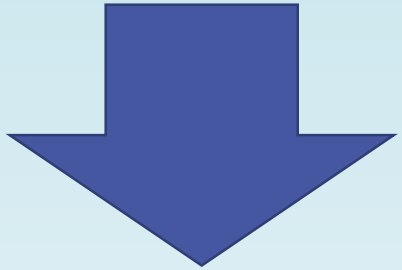
Korea's Experience

III. Necessary Conditions

Build AC Systems

1. Strong, Competent Government

- ✓Vulnerable and weak governments can never consistently pursue anti-corruption policies
- ✓An incompetent government is not only corrupt by itself, but can not accomplish anything at all.



How?

2.Establish ACA : Basic role of ACA

*UNCAC Article 6 :Preventive anti-corruption body

- ✓ACA should be center of expertise which can give advice and consultation to all state departments
- ✓ACA should work on increasing networking and developing with all partners in anticorruption field
- ✓Do as a watchdog, KEEP SPEAKING OUT!!
- ✓ACA should play a role of like a NGO in the government

3. Set up Legal frame

1) Anticorruption law

- ✓definition(corruption)
- ✓scope of application(public sector, private sector)
- ✓establishing ACA
- ✓corruption report and investigation
- ✓Prevention, education and civic society etc.

2)Core Separate laws

- ❑Code of conduct for public official(Preventing Conflicts of interest)
- ❑Asset declaration(Financial Disclosure)
- ❑whistle-blower protection

4. Focus on Prevention

- ✓Prevention policies matter than investigation or prosecution against corruption!
- ✓Prevention is just symbolic and rhetoric in most developing countries.
- ✓Most developing countries failed to establishing anticorruption systems heavily rely on investigation, prosecution and punishment.
- ✓However, investigative agencies not only ineffective but can also lead to corruption due to abuse of power by themselves.

*200 reports to prosecutors but that only two of these had ended up in convictions, and suspended sentences(Ukraine, NYT Feb 2018)

- ✓The ACA should be able to faithfully play a role in preventing corruption as an anti-corruption organization.

5.Learn from Best Practices: Korea's experience

- How fighting corruption out of severe poverty?
- What kind of national strategies against corruption?
- What role ACA has played to fighting corruption?
- How IT technologies contributed to enhance transparency in Korean society?

1) Why Korea's experience important?

- ✓ A Real Model for developing countries
- ✓ The first country from a recipient to a donor

  - In 1960s GDP per capita was 60$ ~100$

- ✓ The first country from colony to become the 7th among 30-50 club

*30-50 club :$30,000 USD over 50 millions population

:USA, JAPAN, GERMANY, UK, FRANCE, ITALY, Korea

فقر مدقع





SAMSUNG

삼성전자

NOW



2) How Korea could be successful?

- First, efficient and competent government
- Second, Highly qualified government officials
- Third, top leader's strong commitment

3)What can learn from Korea's Anticorruption Agency?

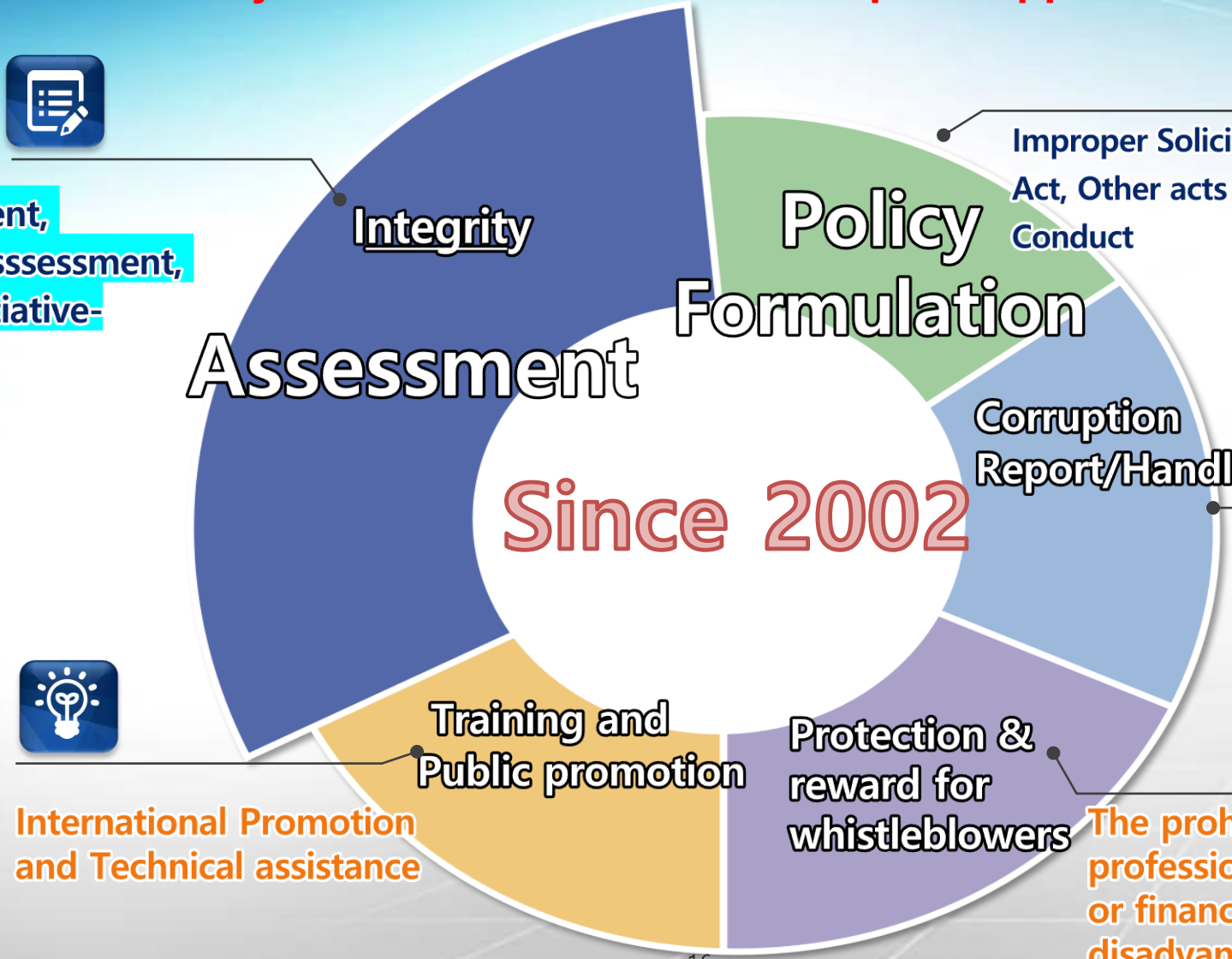
- ✓A comprehensive and systematic system for preventing corruption
  -Assessing and disclosing the integrity levels of public institutions and Eliminating corruption risks

- ✓A dramatic advance since Sep 2016 to build a system to address structural corruption problems in Korean society
  - The improper solicitation and graft act which have made a major impact on Korean society

ACRC Main Functions

Four major roles : Policy formulation, Corruption investigation, Evaluation and Assessment, Education and Public Promotion

"systematic national anti-corruption approaches"



Integrity Assessment, Corruption Risk Asssessment, Anticorruption Initiative-Assessment

Improper Solicitation and Graft Act, Other acts and Code of Conduct

Receiving and Investigation

International Promotion and Technical assistance

The prohibition of professional, administrative, or financial disadvantageous measures

4) IT Based Approaches

A)e-People : Handling Civil Petitions and Complaints

B) INNOVATION OF PUBLIC PROCUREMENT

•A)e-People : Handling Civil Petitions and Complaints

Non-typical petitions (narrative petitions)

1 **Requests** — Explanation & interpretation

2 **Suggestions** — Administrative improvement

3 **Other petitions** — Complaints in daily lives

4 **Grievances** — Violation of civil rights

typical petitions

5 **Legal petition** — authorization·permit approval

Handled by Each organization

e-People www.epeople.go.kr

Civil petitions by year

(unit : case)



B) INNOVATION OF PUBLIC PROCUREMENT

- **Korean E-Procurement to respond to the expansion of e-commerce and towards e-Government**
- **Enhance Transparency of Public Procurement launched in 2002**
- **Publicizing all bidding information on a real-time basis**

-No room for arbitrary decisions

- **Diminish the possibility of corruption**

- Online contact instead of interpersonal contact

* E-Bidding accounted for 92.8% of the entire volume(2016)

Feasible approaches and Accurate strategies to Make ACA Work



Nine Strategies

IV. Sufficient Conditions

Working AC Systems

Strategies

RULE 1	• Do what you can do, not what you want to do
RULE 2	• Do not expect investigation and prosecutions. Concentrate on preventing
RULE 3	• Success in one field can be successful in another field

Strategies

RULE 4	• For Integrity education, focus on Entry level and mandate for government officials
RULE 5	• Make preventive measures be weapons
RULE 6	• If his subordinates can be clean, subordinates' subordinates will be clean,too

Strategies

RULE 7	• Spread Integrity throughout government by providing Incentives
RULE 8	• make a single attack a thousand times more effect
RULE 9	• Strengthen your strength • Away from defeatism

VI. Conclusion

Three major components for anticorruption

- Competent government
- Establish ACA and make it work
- Change mindset and behavior



A thread on the table.

How can you move the thread on the table?

When you grab the thread in the front part and drag it gently, the thread moves.

Thank you

شكرا لكم