Anti-Corruption Resource Centre
www.U4.no

Anti-corruption policy making in practice:

Lessons Learned for implementing Article 5 of UNCAC

Conference of the Arab Anti-Corruption and Integrity Network

"National Anti-Corruption Strategies and the Roles of National Stakeholders"

Sana'a, Republic of Yemen

26-27 July 2010

CMI CHR. MICHELSEN INSTITUTE

Article 5:
A gateway to UNCAC implementation

*"Each State Party shall… **develop** and **implement** or **maintain effective, coordinated anti-corruption policies** that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability."*

AC Policy Approaches

- **Broad national strategy/policy**
- **Focus on legislation-only**
  i) for ex. to meet EU accession obligations
- **Targeted on key areas**
  i) Sector reforms – civil service, education, etc.
  ii) Zero tolerance policies through law enforcement
- **Embedded in public sector reform**
- These concepts are not mutually exclusive and can complement / reinforce each other

Background to the U4 report

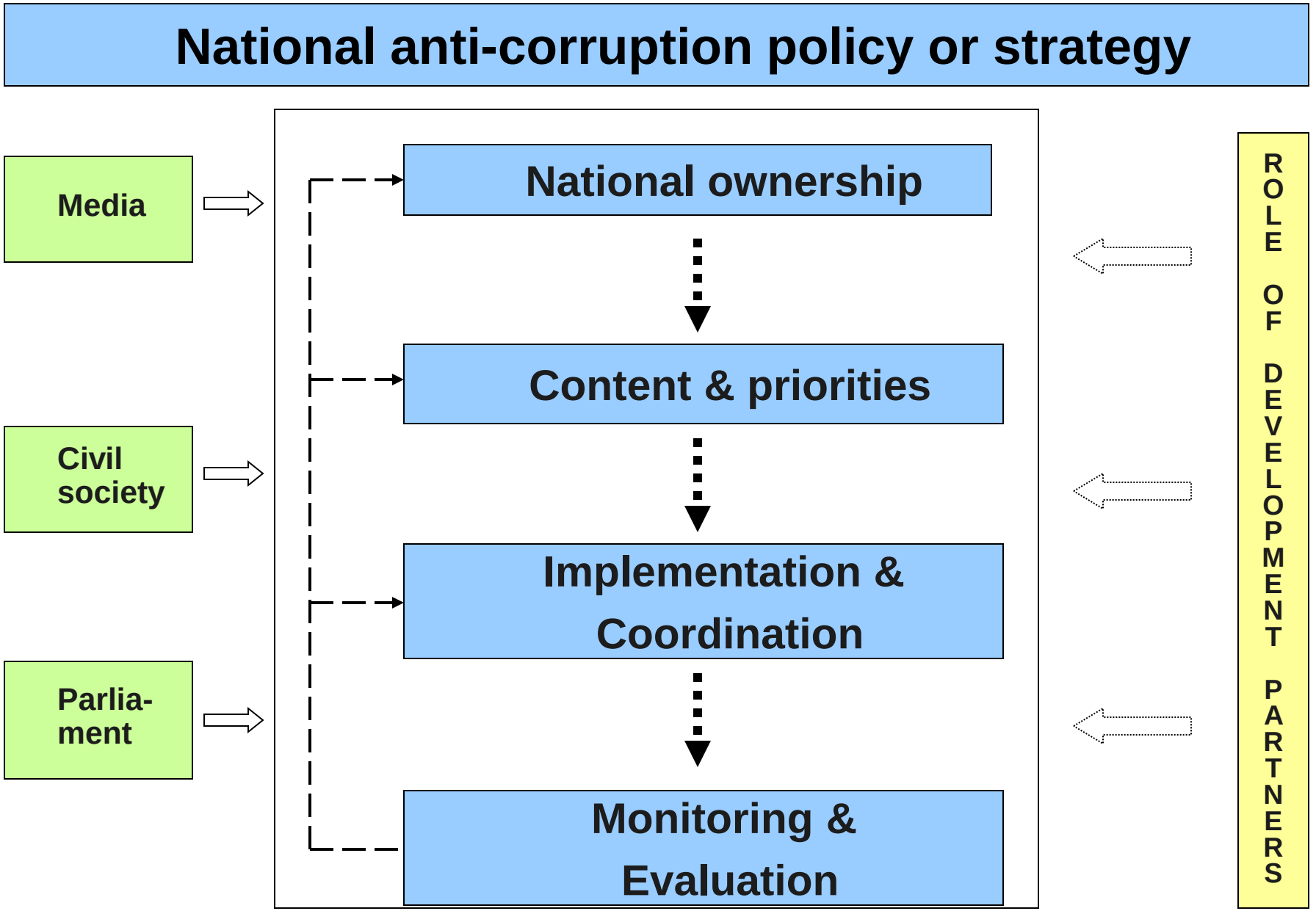
- **Purpose**: Inputs for policy debates on the implementation of UNCAC
  Policy debate of multiple actors: governments, parliamentarians, CSO, donors

- **Focus**: Explicit national anti-corruption policies or strategies

- **Questions**: How were anti-corruption policy frameworks developed?
  What were the driving forces and who opposed the efforts?
  How were priorities set?
  How were these strategies linked with core governance reforms?
  How were they implemented?
  What role did donors play?

- **Case studies**: Georgia, Indonesia, Nicaragua, Pakistan, Tanzania and Zambia

Analysis of country studies – policy cycle and actors



What do the findings tell us (I)?

Anti-Corruption Resource Centre
www.U4.no

National ownership

- AC strategies → often political tools for superficial change
  - Reinsurance of public demand
  - Demonstration to create trust of donors
- Lack of high-level political agreements across parties
- Initial political will & necessity fade away quickly
- Lack of diagnostic or acknowledgement of the problems at hand

Content and priorities

- Mismatch: technocratic solutions for political problems do not work
- (Selective) crack down on corruption → loss of credibility
- Dilemma between holistic approach and prioritization unresolved
- Focus on norms & institutions → performance & accountability neglected

What do the findings tell us (II)?

Anti-Corruption Resource Centre
www.U4.no

Implementation & coordination

- Big challenge → inappropriate implementation arrangements
- Leadership & oversight → mismatch between authority and goals
- Insufficient information & communication → inaction & loss of trust

Monitoring & evaluation

- Self-reform through self-assessments → how can this work?
- Insufficient monitoring → no sustained public debate & pressure

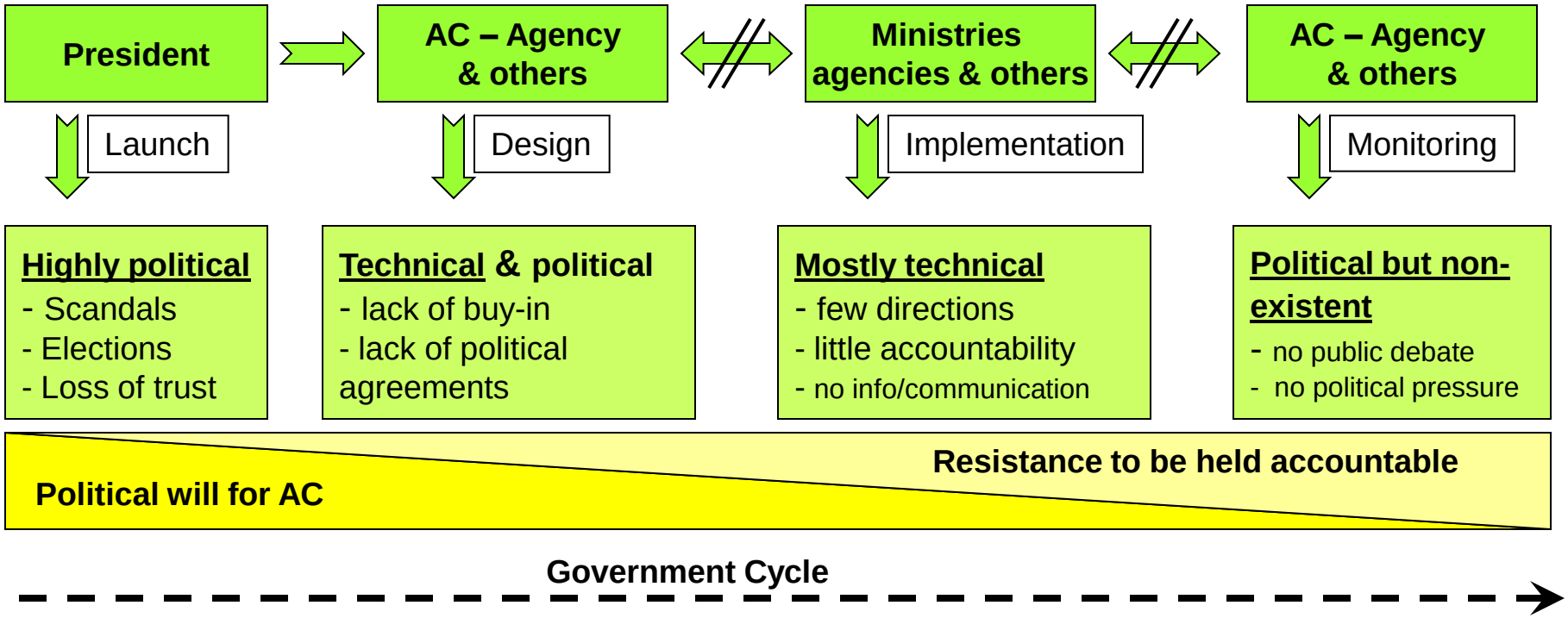
International dimensions

- Donors → asset and liability
- International conventions → legal reform yes, but change in practice?

AC policies and government cycles

Anti-Corruption Resource Centre
www.U4.no

Institutional roles change during policy and government cycle



Issues for UNCAC implementation

Anti-Corruption Resource Centre
www.U4.no

What are the potential options for "effective and coordinated anti-corruption policies"?

- Single broad anti-corruption strategy
- Integration with core governance reforms
- Sector approaches as substitute or complement of broad strategies
- Can effective monitoring of governance reforms strengthen AC prevention?

Important to ask before developing a national strategy/policy:

- What are core reforms already underway?
- Do they address prevention/enforcement in any way?
- What is missing, where is reform most needed, where most impact?
- How and with what approach are ends best brought together?
- Which institutional arrangements are needed (UNCAC article 6)
- Fighting corruption by fighting corruption – the right approach?

THANK YOU

Hannes Hechler
U4 Anti-Corruption Resource Centre
hannes.hechler@cmi.no

www.u4.no