CONFERENCE OF THE ARAB ANTI-CORRUPTION AND INTEGRITY NETWORK

"NATIONAL ANTI-CORRUPTION STRATEGIES AND THE ROLES OF NATIONAL STAKEHOLDERS"



SESSION 3

ROUNDTABLE ON SUCCESSFUL EXPERIENCES AND LESSONS LEARNED ON IMPLEMENTING NATIONAL ANTI-CORRUPTION STRATEGIES

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COMBATING CORRUPTION AND STRENGTHENING INTEGRITY: MALAYSIAN EXPERIENCE

The issue of corruption has come to the centre stage of state reform and governance improvement programmes of many developing countries.

Corruption always been regarded by many governments as well as many development partners as a serious problem. Many regarded corruption in the same category as the AIDS epidemic or even as cancer in a body.

Brief History on the Establishment of the Anti-Corruption Agency (ACA) in Malaysia

In 1959 the Government established a **Special Crime Unit in the Police Department** to investigate corruption-related matters;

Set up an **Anti-Corruption Unit in the Prime Minister's Department** to carry out punitive and non-punitive measures in fighting corruption.

The **Attorney General's Department** prosecuted all corruption cases.

The **Anti-Corruption Agency of Malaysia (ACA)** began its formal operations on the **1st of October 1967.**

In 1973, the Agency was revamped, organizationally expanded, and its name changed to the **National Bureau of Investigation or NBI**

In 1982, the Agency's name was reverted from **NBI to the Anti-Corruption Agency (ACA)** to give more focus on the function of combating corruption, abuse of power and malpractices.

THE ESTABLISHMENT OF THE ANTI-CORRUPTION AGENCY (ACA) 1967



Establishment of the

Malaysian Anti-Corruption Commission (MACC)

1st January 2010



Malaysian Anti-Corruption Commission Headquarters, Putrajaya, Malaysia

In the year 2008, the Government agreed to the establishment of the **Malaysian Anti-Corruption Commission or MACC**

to enhance the effectiveness and efficiency of anti-corruption efforts.

To improve public perception towards the independence, integrity and professionalism

in performing the functions of the Commission.

The MACC is also supported by **check and balance mechanisms** to ensure that the Commission acts as provided by the laws and in accordance to the nation's and society's aspiration.

CHECK AND BALANCE

is a significant measure in managing public expectation as well as perception of the MACC's independence, efficiency, effectiveness, transparency and accountability in executing its designated legal responsibilities.

A positive perception of the MACC and the Government in general is important in garnishing public support and cooperation towards the wage war against corruption, abuse of powers and malpractices.

Five Advisory Board or Committees was established.....

1. The Anti-Corruption Advisory Board (ACAB);
2. The Special Committee on Corruption (SCC);
3. The Complaints Committee (CC);
4. The Operation Review Panel (ORP); and
5. The Consultation and Corruption Prevention Panel (CCPP).

ANTI-CORRUPTION ADVISORY BOARD

Chairman
Former Malaysian Chief Justice



STRATEGIES

1. Strengthening Strategy;
2. Promotion and Prevention Strategy;
3. Enforcement Strategy; and
4. Improvement Strategy.

Strengthening Strategy;

1. The formation of the Anti-Corruption Advisory Board, Special Committee on Corruption, Complaints Committee, Operation Review Panel and Consultation and Corruption Prevention Panel;

2. To endorse to the Public Service Department for the existing service scheme to be better improved or commensurate with other service schemes in the public sector to attract interest among the professionals and high calibre groups into joining the MACC;

3. To apply for Government's consideration in increasing the strength of the MACC as to better carry out its functions and responsibilities particularly in the aspect of the MACC's operation;

Strengthening Strategy;

4. *To give priority in strengthening professionalism among the MACC Officers through planned training and inculcation of good values;*
5. *To strengthen the Corporate Communication Unit by recruiting skilled and experienced officers in public relations and media management;*
6. *To strengthen cooperation with international law enforcement agencies and actively involve in international forums; and*
7. *To enhance the MACC's infrastructure facilities by constructing MACC office buildings to facilitate and provide hospitable services to those dealing directly at MACC offices.*

Promotion and Prevention Strategy

1. To endorse the uniformity of efforts in enhancing public sector integrity through a Prime Minister's Directive;
2. To improve educational and informational activities in Government and private agencies to foster cooperation and promote understanding in eradicating corruption;
3. To widen the spread of anticorruption messages and hatred against it among the public through media channels in order to enhance public awareness on the evils of corruption to the nation and to enhance their commitment to fight against corruption; and
4. To encourage the public in giving quality information of corruption by giving recognition and assuring confidentiality of their identities based on legal provisions.

Enforcement Strategy

1. To step up operational activities based on intelligence based investigation;
2. To expedite investigations on cases of public interest;
3. To focus on syndicated corruption offences which involves law enforcement agencies; and
4. To endorse to the Government on the needs of Special Corruption Court in expediting the trial of corruption cases.

Improvement Strategy

1. To have centralized and written media statements in order to avoid inaccurate coverage and to facilitate control and monitoring;
2. To hold periodical and structured media briefings on the MACC's activities;
3. To monitor and analyze news broadcasts and to take immediate action against contradictory news or the ones that tarnishes the MACC's credibility;
4. To improve the MACC's portal in creating a more attractive and responsive medium and thus act as a primary source of reference that provides accurate and speedy information on the MACC; and
5. To foster closer relationship with media to garner their support in combating corruption.

MACC Operations

1. Through out the year 2009, a total of 939 Investigation Papers were opened out of 5,936 information received which contained elements of corruption.
2. In the same year, 500 people were arrested and 176 accused were charged in court.
3. The conviction rate at the Subordinate Court was 64.4%, 65.8% appeal cases at the High Court and 86.2% appeal cases at the Appeal Court while 88.9% of cases which involved forfeiture of property were in favours to the MACC.

Prevention Activities

1. Which comprises the examining of systems and procedures;
2. Giving consultation and conducting community education activities.
3. Taking into consideration the various approaches in enhancing governance in public delivery system, all mechanisms were placed together under the Integrity Governance Committee (IGC).

International Activities and Training

1. The MACC played an active role in anti-corruption issues through international forums and initiatives. These include Working Group on the Review of the Implementation of the UNCAC, Working Group on International Cooperation and Working Group on Asset Recovery organized by the United Nations Organization on Drugs and Crimes (UNODC) based in Vienna, Austria.

2. The MACC also actively participated in several other forums such as the Anti-Corruption and Transparency Task Force (ACT) APEC, ADB-OECD Anti-Corruption Initiatives for Asia and the Pacific and the Interpol Group of Experts on Corruption (IGEC).

International Activities and Training

In the efforts to fortify and strengthen the MACC, local and international training aspects for its officers are constantly intensified. The MACC, through its Malaysian Anti-Corruption Academy (MACA), had for the first time conducted the Executive Certificate Course for Strategic Management of Anti-Corruption Program under the Malaysian Technical Cooperation Programme with the cooperation of the Economic Planning Unit, Prime Minister's Department.

In addition, several international courses and workshops were also conducted in the MACA such as Managing Corruption in Law Enforcement Agencies, Accountability and Integrity in Public Sector Organizations and International Financial Crime Prevention and Compliance Training Forum.

The MACC also received recognition from the International Criminal Police Organization (INTERPOL) with the successful signing of the Memorandum of Understanding in making the MACA as the INTERPOL hub for the Asia Pacific region in anti-corruption training aspect. The Memorandum also enabled the MACA to adapt to the anti-corruption training programs implemented by the INTERPOL, whilst benefiting from the INTERPOL's expertise in the MACA's sponsored courses.

Integrity and Professionalism

1. In order to be a respected anti-corruption commission, the MACC officers need to be the role model in embracing integrity, discipline and professionalism. Towards this, the MACC through its Excellence and Professionalism Division specifically handles those aspects by adopting the Directorate of Professional Standard, the Metropolitan Police of United Kingdom model.

2. The division does not only act upon disciplinary aspects alone as commonly practiced by Disciplinary Unit in other departments/ agencies, but it also regularly carries out compliance audit, integrity testing program and internal complaint management.

Management and Administration

The MACC has been approved a total of 2,620 personnel, comprising of 1,839 (70.2%) Officers of the Commission and 781 (29.8%) common staffs. Out of this, 1,382 (75.1%) Officers of the Commission posts and 694 (88.9%) common staffs posts have been filled.

Under the 9th Malaysia Plan, the Government had allocated more than RM600 million to finance the building of 12 offices cum-residence complexes to accommodate the MACC staffs throughout Malaysia.



INTEGRITY TOWER

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THANK YOU


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