GOOD GOVERNANCE
FOR DEVELOPMENT INITIATIVE (G*f*D)

PROJECT FOR SUPPORTING THE IMPLEMENTATION OF
UN CONVENTION AGAINST CORRUPTION (UNCAC)
IN THE ARAB STATES

THE 2nd REGIONAL WORKSHOP ON UNCAC SELF-ASSESSMENT METHODOLOGIES

AND

THE 1ST PREPARATORY MEETING FOR ESTABLISHING AN ARAB NETWORK FOR SUPPORTING THE UNCAC IMPLEMENTATION

FINAL REPORT
(DRAFT)

Casablanca, Morocco
21-23 April 2008

TABLE OF CONTENTS

1. Introduction 3

2. Summary of the 2nd regional workshop proceedings, 21-22 April 2008 5
   - The opening session 5
   - Session (1): Self-assessment and the work progress in the Arab region 7
   - Session (2): Additional steps to support self-assessment process 12
   - Sessions (3) and (40: Discussing the second part of self-assessment questions 15
   - Training session for the new members of the self-assessment Arab government expert team 17

3. Summary of the proceedings of the 1st preparatory meeting for establishing an official Arab network for supporting the UNCAC implementation, 22-23 April 2008..... 18
   - Session (1): Framework for establishing the official Arab network for supporting UNCAC implementation 18
   - Session (2): Discussing the experiences of the other countries interested in corruption combating.....
   - Session (3): Presenting and discussing the proposed text and by-laws of the Arab network charter 23
   - The closing session: Closing the proceedings of the 1st meeting and approving the recommendations 26

4. Conclusion..... 27

Introduction

As part of the Initiative on Good Governance for Development (G*f*D) in the Arab Countries, which was launched in 2005 by the ministers and prime ministers of 18 Arab states under the auspices of King Abdullah II of Jordan[1], and in implementation of the recommendations of the Regional Conference on the Implementation of the United Nations Convention against Corruption (UNCAC) in the Arab states, which was held in the Dead Sea area, Jordan, on 21-23 January 2008 under the auspices of prime minister of Jordan, the United Nations Development Programme - Programme on Good Governance in the Arab Region (UNDP-POGAR) organized the two successive regional events described below. The events were hosted generously by the Ministry of Finance in Morocco.

The first event was the 2nd regional workshop on "UNCAC self-assessment methodologies". The workshop was held in Casablanca, Morocco, on 21-22 April 2008 in cooperation with the United Nations Office on Drugs and Crime (UNODC).

The second event was the 1st preparatory meeting for establishing the Arab network for supporting the UNCAC implementation. The meeting was held in Casablanca, Morocco on 22-23 April 2008 in cooperation with the Organization for Economic Cooperation and Development (OECD) and the UNODC, and in coordination with the League of Arab States.

The two events brought together top-ranking delegations of 14 Arab countries[2]. These included heads and representatives of official Arab anti-corruption agencies, representatives of the ministries of justice, and members of "the UNCAC team of Arab government experts for self-assessment"[3], as

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[1] For more information on the initiative, visit: http://www.arabgov-initiative.org/

[2] Jordan, United Arab Emirates, Bahrain, Tunisia, Algeria, Sudan, Palestinian National Authority, Qatar, Kuwait, Lebanon, Libya, Egypt, Morocco, Mauritania and Yemen.

[3] The team of Arab governmental experts for self-assessment of the UNCAC constitutes the core of knowledge exchange tackling, on the regional level, the anti-corruption issues and transparency strengthening in the context of the G*f*D. Up to now, the team encompasses 17 countries. It would be extended to include other countries later. The names of the experts are as follows:

1. Mr. Mohamed Khalil Moslem Adinat, member of the Jordanian anti-corruption authority.
2. Mr. Abdullah Yousof el Shamsy, Chief Judge of Shareka court of appeal, Ministry of Justice, United Arab Emirates.
3. Mr. Ahmad Hamad El Dosari, General Advocate, Bahrain.
4. Mr. Monsef Mohamed Zaghab, research judge, Ministry of Justice and Human Rights, Tunisia.
5. Ms. Galila Hussein Haddad, head of the office of legal and judicial cooperation strategy, Ministry of Justice, Algeria.
6. Mr. Senan Ahmad el Qassab, judge and counselor, Ministry of Justice, Syria.
7. General Counselor Mr. Mohamed Bin Edrees, Head of the Legislation Department, Ministry of Justice, Sudan.
8. Mr. Khaled Gasem Hasson el Amri, general manager of Financial Control Authority, Iraq.
9. Sheikh Maged Bin Abdullah Bin Mubarak el Alawi, chief judge of the administrative judgment court, Aman.
10. Ms. Reem Maged Abu Rab, legal assistant, Ministry of Justice, Palestine.

well as representatives of the League of Arab States and other international organizations[4].

The regional workshop comes as part of the process of self-assessment in the Arab states and in accordance with the specific methodologies and tools of monitoring and assessment. It aims to establish a practical basis that helps the Arab countries identify their legal and constitutional status in a scientific and subjective manner, and develop reform action plans and the technical assistance programmes to implement the UNCAC in consistence with the Arab countries' real priorities and needs. The UNDP-POGAR, in cooperation with the UNODC, launched this project upon the recommendations of the Arab states' representatives who participated in the preparatory session held in Sharm el-Sheikh, Egypt, on 23 October 2007.

On 16-18 December 2007, a regional training workshop was organized in Amman, Jordan. It was attended by government experts representing the ministries of justice and anti-corruption government agencies from 11 Arab countries. The participants were trained in how to understand and use the "UNCAC Self-assessment Checklist" developed by the secretariat of the Conference of State Parties. They also discussed the activities and obstacles related to implementing the process of self-assessment in the Arab states. The focus was placed on the methods of activating self-assessment in future. Following the end of the workshop, a team of governmental experts tasked with the self-assessment of the UNCAC was formed with the participation of 11 countries. Later, new 6 Arab countries joined the team in April 2008.

The idea behind forming the team is to provide a good opportunity for professional communications among the participating experts from the Arab states. The team's task is to assist in building the knowledge required to develop the technical assistance programmes of each Arab country in a manner appropriate to its aspirations. With the support of the UNDP and in cooperation with the UNODC, the experts will meet at several events and forums during the next three years to assist in preparing for the conference of the UNCAC state parties and contribute to the implementation of the UNCAC project in the Arab region. The project is key theme of the 2nd phase of the G*f*D (2008-2010).

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11. Mr. Abdelaziz Mustafa Ahmad Mohamed Nour, head of Department of International Law and International Conventions, Ministry of Justice, Qatar.
12. Mr. Zakareya Abdullah el Ansari, director of International Relations Department, Ministry of Justice, Kuwait.
13. Mr. Badr el Mosa'd, first General Advocate, Public Prosecution Office, Kuwait.
14. Ms. Nada Qaysar Nakhla, Judge, Ministry of Justice, Department of Legislation and Consultancy, Lebanon.
15. Mr. Kamal el Ogaili el Bahary, director of the General Administration for Relations and International Cooperation, Libya.
16. Mr. Molay Walad Kwad Walad Molay, the State's Inspector General, State's Assistant Inspector General, State's General Inspectorate, Mauritania.
17. Mr. Rashid Abdelwarith Abdelhalim el Menifi, Deputy of General Manager, Minister of Justice Office for Chambers and Committees Affairs, Ministry of Justice – Coordinator of Good Governance Project – in charge of Money Laundry Affairs, Yemen.
18. Mr. Abdrabu Garada, member of the High National Anti-corruption Body, Yemen.

[4] Please, revise the final list of participants attached xxxxxxxxxx.

The preparatory meeting comes in the context of the efforts exerted to establish an Arab formal network to support the UNCAC implementation in pursuance of the recommendations of the regional conference, which was held in the Dead Sea area, Jordan, on 21-23 January 2008. The conference was attended by ministers of justice and top-ranking delegations from 19 Arab countries[5]. The delegations included representatives of the judiciary, official anti-corruption agencies, members of parliament, representatives of civil society organizations, private sector bodies, representatives of the League of Arab States, and regional and international organizations. At the end of the conference, the participants recommended launching the activities for establishing an Arab network for the UNCAC implementation, bringing together the official authorities desirous to accede to the convention.

The participants also stressed the importance of establishing a parallel network comprising non-governmental bodies to activate communications, cooperation, and partnerships between the governments, the civil society and the private sector. The Jordanian Anti-Corruption Agency was invited to coordinate the process of drafting the Charter and bylaws of the official Arab network to be launched in a regional big conference. The UNDP was also invited to support the establishment of the two networks in cooperation with the UNODC and the OECD, and in coordination with the League of Arab States and other international and regional organizations.

This report summarizes the proceedings of the above two events and the findings concluded by the participants. The purpose of the report is both to complement, expand and deepen the process of self-assessment and to develop a charter and bylaws for the Arab network for supporting the UNCAC implementation in preparation for approving them and launching the network by mid-2008.

1. Summary of the 2nd regional workshop proceedings (12-22 April 2008)

Opening Session

Mr. **Mohamed Abd el-Nabawi**, Director of Criminal and Amnesty Affairs of the Ministry of Justice, Morocco, representing the Minister of Justice, opened the workshop, welcomed the participants and lauded the organizers for their efforts. He indicated the significance of the issues to be discussed in the workshop, namely "the UNCAC self-assessment methodologies" and stressed the importance of the 1st preparatory meeting for establishing the Arab network for supporting the UNCAC implementation. He hoped that these efforts would have a positive impact on fighting corruption in the region as they are significant in promoting the concept of fighting corruption. In addition, these activities provide a forum to exchange expertise and experiences in the framework of developing strategies for fighting corruption.

[5] Jordan, United Arab Emirates, Bahrain, Tunisia, Algeria, Sudan, Saudi Arabia, Syria, Iraq, Oman, Palestinian National Authority, Qatar, Kuwait, Lebanon, Libya, Egypt, Morocco, Mauritania and Yemen.

Mr. Abd el-Nabawi, then, talked about corruption and its negative impact on human development efforts, the values of democracy, and the rule of law. He briefly reviewed the substantive and constitutional frameworks of fighting corruption in Morocco. He shed light on the activities carried out by his country to adopt an effective and coordinated policy to combat corruption in consistence with the UNCAC. According to him, Morocco is committed to the convention. He stressed the need to improve the legislative frameworks required for the convention application, and emphasized his country's determination to pursue its efforts to strengthen the state of institutions, fight corruption, and protect freedoms and human rights.

Mr. **Morad Wahba**, representative of the UNDP Country Office in Morocco, welcomed the participants. He gave an overview of the developmental situation in the Arab region, citing figures to show the extent to which poverty and illiteracy are prevailing though the region is rich with natural resources. He blamed the low level of human development on the spread of corruption and mismanagement. He also discussed some economic and development aspects from the corruption perspective. He explained the pillars of the project and the role of such projects in spreading the awareness and building the knowledge of decision makers to combat corruption.

In this context, the project will be implemented through some regional activities. These have four strategic components that will assist the Arab countries in fighting corruption effectively in accordance with their national priorities. These components are: a) self-assessment: build strong knowledge of the legal and constitutional frameworks of fighting corruption, b) understanding the needs: explain the requirements of applying the convention and presenting the best practices in this respect, c) providing assistance: support developing technical assistance programmes at the national level in the Arab countries willing to do so, d) review of applications: encourage conducting periodic review of the UNCAC implementation, and exchange the successful experiences and the lessons learnt. He added that the efficient treatment of the corruption phenomenon requires a comprehensive methodology based on transparency, accountability and participation of the civil society actors including individuals, groups and the media so that tangible outcomes of combating corruption should be seen.

Closing his speech, **Mr. Wahba** thanked those in charge of the Initiative on Good Governance for Development in the Arab Countries which is, quoting him, a regional pilot project that takes into account the requirements of the Arab region and is launched as part of the efforts exerted for achieving development in the region.

Mr. **Hatem Ali**, UNODC corruption prevention expert, talked about the importance of the UNCAC. According to him, the convention is a standard framework that countries should adopt in formulating their legislative policies, and developing anti-corruption mechanisms as part of a system designed to strengthening the principles of integrity, transparency and accountability. He stressed the importance of self-assessment as a basis for collecting and

analyzing information with the purpose of establishing the knowledge required to develop plans, draw up development projects, and provide technical assistance.

Mr. **Hatem** welcomed the new members who joined the team of governmental experts tasked with the UNCAC implementation self-assessment. He briefly reviewed the achievements of the 1st training workshop to enlighten the participants about the project's background. He concluded his statement by stressing the importance of strategic partnership with the UNDP-POGAR through which support will be given to the Arab countries to implement the UNCAC in accordance with their priorities.

Session (1): Self-assessment and the work progress in the Arab region

Mr. **Arkan el-Seblani**, legal specialist in the UNDP-POGAR, explained the purpose of the workshop and compared it to the 1st workshop held in Amman at the end of 2007. The 1st workshop aimed to train the participants in using the "UNCAC Self-Assessment Checklist" to evaluate the extent to which the legal and constitutional status of the interested states conforms to 15 articles of the Convention. By comparison, the 2nd workshop has two goals:

- Presenting another part of the convention's articles to the team of experts to extend the scope of the process of self-assessment so as to virtually include the entire main articles of the UNCAC.
- Deepening the process of self-assessment. This could be achieved through presenting and discussing a new deep assessment tool that will provide more accurate responses to the needs for applying the UNCAC and, thus, draw a more integrated picture of the legal and constitutional frameworks and the existing policies and practices in each country.

Mr. **Seblani** introduced the new members who joined the team of Arab governmental experts for self-assessment of the UNCAC. He welcomed the attending members[6] and apologized on behalf of the absent ones[7]. Then, he presented the workshop agenda and a report on the progress of the process of self-assessment in the Arab region. The report was prepared by the UNDP-POGAR in coordination with the UNODC. According to him, the preparation of the report comes as part of promoting the process of self-assessment carried out by the Arab states that joined the project of supporting the implementation of the UNCAC. The report attempts to provide an integrated picture of the progress made in the process of self-assessment in the Arab states. The purpose of this self-assessment is to encourage these efforts and allow other Arab countries to benefit from the pilot assessment implemented so far.

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[6] The present members are: Mohamed Adinat (Jordan), Abdullah el Shamsi (UAE), Ahmad el Dosari (Bahrain), Monsef Zaghab (Tunisia), Galila Haddad (Algeria), Mohamed Bin Edrees (Sudan), Reem Abu Rab (PNA), Badr El Mosaad and Zakareya el Ansari (Kuwait), Nada Naghla (Lebanon), Mohamed el Bahari (Libya), Mohamed Ban'alilo (Morocco), Molay Walad Kwad Walad Molay (Mauritania), Yaseen el Sa'eed on behalf of Rashid el Menifi, and Abdrabu Garada.

[7] The absent members are: Senan el Qassab (Syria), Khaled el Amri (Iraq), Maged el Elwi (Oman), and Abdelaziz Nour (Qatar).

He added that the report contains a summary of the questions on self-assessment that were received from the Arab countries till 15 April 2008. These questions focus on 15 articles of the UNCAC, which cover the following issues: preventive measures, criminalization and law enforcement, international cooperation and asset recovery. According to him, it is up for each country to decide whether to circulate the information contained in the report. Therefore, the report he presents does not contain detailed answers but an initial analysis of the information provided by the Arab states up till now[8].

Following the circulation of the report to the participants, the team of Arab governmental experts for self-assessment of the UNCAC started to introduce their presentations on the developments related to the implementation of the convention in their respective countries and on the progress achieved in the process of self-assessment.

Dr. **Mohamed Adinat**, member of the board of directors of the Jordanian Anti-Corruption Authority, presented his country's experience in this field. According to him, Jordan has successfully carried out the 1st part of the process of self-assessment by mid-2007. In addition, Jordan answered all the mandatory and elective questions of the self-assessment. Thanks to its pilot experience in the process of self-assessment, Jordan is one of the countries that evaluate the experiences of other countries within the so-called pilot programme for reviewing the implementation of the UNCAC, which includes 17 countries. The programme was launched by the UNODC to test the UNCAC Self-Assessment Checklist; a tool for reviewing implementation. He also made clear the purpose and basis of the programme and presented the mechanisms of working in this programme. According to this programme, its member states, including Jordan as mentioned before, select their own experts to evaluate other countries, who are also member states of the programme. A member state evaluates two countries; one of them should be from the same region and the other from another region. Further, a state that carried out assessment of another state will be assessed by two countries; one of them should be from the same region to which the evaluating country belongs. The assessment of other countries' experiences within this programme depends on analyzing their answers in the self-assessment. In addition, a joint dialogue will be held and field visits will be paid for evaluating the mechanisms of implementing the convention.

Dr. **Adinat** made some significant remarks on the pilot programme. "The contents of some laws and documents, upon which the list of self-assessment depends, need to be translated. The absence of this translation, of course, limits the success of the programme. Also, the answers by some states to the self-assessment questions were not in a uniform and standard format. In addition, the role of the UNODC in the first phase of the project was limited" he said. He added that the self-assessment mechanism was still being tested.

[8] Tunisia, Algeria, Egypt, Jordan, and Yemen have presented their reports formally. Mauritania sent an informal draft as it is in the preparation phase.

The programme aims, in this context, to test the efficiency of the self-assessment mechanism and table it for discussion before the Conference of State Parties.

Ms. **Galila Haddad**, head of the Office of Legal and Judicial Cooperation Strategy of the Ministry of Justice in Algeria, said that after Algeria had participated in the Dead Sea Conference and the Conference of State Parties held in Bali, Indonesia, early in 2008, it is now working for improving its answers to the self-assessment questions that it presented in 2007 to the Conference of State Parties. In fact, the answers did not identify the fields for which technical assistance is required. According to Ms. Haddad, Algeria will answer the questions of the second round of self-assessment in pursuance ofl its commitment to the UNCAC implementation.

Judge **Monsef Zaghab**, representative of the Ministry of Justice, Tunisia, presented a general explanation of the legislative and constitutional anti-corruption mechanisms employed in Tunisia, as well as the mechanisms used in laying down the code of conduct of public officials. He also shed light on his country's efforts with respect to combating corruption in the public sector. According to Judge Zaghab, the significant participation and exchange of experience in the 1st workshop of self-assessment held in Jordan late in 2007 shed light on some concepts of the UNCAC. He said that Tunisia ratified the UNCAC on 25 February 2008 by Act N° 16/2008. He underlined the Convention's objectives, pointed out by Jordan's representative, and said that the states' needed assistance in combating corruption should be explored.

Mr. **Ahmad el- Dosari**, General Solicitor and Bahrain's Representative, thanked the organizers and introduced himself to other experts as a newcomer to the team. He stressed his country's keenness to participating in these regional activities. He also hoped the meetings would give the desired fruits for all participants.

Mr. **Badr el- Mosaad**, senior public prosecutor, Kuwait, pointed out that the process of self-assessment was still underway in Kuwait. According to him, the Cabinet is planning to create a committee headed by the Ministry of Justice with the participation of other anti-corruption authorities to formulate a general policy of fighting corruption in Kuwait.

Judge, **Nada Nakhla** of the Legislation and Consultancies Authority of the Ministry of Justice, Lebanon, said that her country was determined to fight corruption. According to her, Lebanon didn't accede to the convention due to technical reasons which are not relevant to the Lebanon's legislation. In fact, the Lebanese legislation is to a great extent in conformity with the UNCAC. A committee of representatives of both the Ministry of Justice and the Ministry of Administrative Development will be established to lay down a regulation that compares Lebanon's legislation against the UNCAC requirements. Some laws have already been enacted to activate the state's anti-corruption policies and to create substantive, procedural, and institutional frameworks for combating corruption in Lebanon. In this context, a new bill for combating corruption in

the public sector is proposed, which creates a National Anti-Corruption Agency.

Mr. **Molay Wild Kwad Wild Mawlay**, the State's Assistant Inspector General, Mauritania, presented the progress of self-assessment efforts in his country. He said that he conducted, in cooperation with the concerned authorities in Mauritania, a stocktaking of the existing anti-corruption laws. According to him, Mauritania answered all the self-assessment questions and is working for producing its report. Mr. Mawlay called on the Arab countries to finalize and submit their reports to the Conference of State Parties.

Mr. **Kamal el- Bahari**, representative of the People's Committee for Justice, Libya, said that Libya ratified the convention in 2005. He cited the laws that are, according to him, in harmony with the convention. New laws are currently being prepared to meet all the requirements of the UNCAC. As a new member of the self-assessment team of experts, he is working on finalizing this assessment for his country. He said that his country was committed to conduct this assessment.

Judge, **Mohamed Ban'alilo**, Head of Criminal Lawsuit Division of the Ministry of Justice's Department of Criminal Affairs and Amnesty, Morocco, reviewed his country's anti-corruption efforts. According to him, Morocco issued, during the last few months, several laws related to the disclosure of properties. As to the self-assessment efforts, he said that he, in cooperation with the concerned authorities, has accomplished Morocco's self-assessment report and that it only needs to be approved by the sectors before it is submitted to the Conference of State Parties. He added that he would answer all the questions of the second part of self-assessment.

Ms. **Reem Abu Rab**, representative of the Ministry of Justice, Palestine, presented the work progress achieved on self-assessment of the UNCAC implementation. According to her, the Palestinian National Authority has not finished its report yet. Touching upon the significant steps taken for implementing the UNCAC, she emphasized that her country was committed to strengthening the principles of integrity and transparency. Palestine has already issued codes of conduct for judges, public prosecutors and public officials, she said.

Counselor, **Mohamed Bin Edris**, Ministry of Justice, Sudan, and a new member of the team of experts reviewed the Sudanese anti-corruption laws and the bills that are being prepared for Sudan to accede to and ratify the UNCAC. Mr. Edris stressed Sudan's commitment to producing its self-assessment report.

Judge, **Abdullah el- Shamsy**, Chief Judge of Sharqa court of appeal and representative of the Ministry of Justice, United Arab Emirates, said that the UAE ratified the UNCAC and is committed to all principles enshrined in the convention. The self-assessment questions were sent to the concerned authorities to answer them. Hopefully, a committee bringing together all the concerned authorities will be formed to produce the self-assessment report.

Dr. **Ahmad el- Anasi**, Head of the High National Anti-corruption Authority, Yemen, talked, on behalf of the Yemeni delegation[9], on the role, independence and powers given to the Authority he presides over. According to him, Yemen completed the process of self-assessment and sent the report to the Conference of State Parties scheduled for January 2008.

Comments by participants

During the presentations made by the members of the team of experts, participants made the following significant comments:

Mr. **Bahi Abu el- Dahab**, first undersecretary of the Egyptian Administrative Control Authority, stressed the importance of fighting corruption. Most of the Arab countries have legal frameworks for fighting and criminalizing corruption. All that is needed is to apply the already existing laws. Self-assessment is an effective instrument in this regard, he said.

Dr. **Mahmoud Abu el- Rab**, Head of the Financial and Administrative Control Bureau, the Palestinian National Authority, said that the PNA prepared a report on internal control systems in all institutions. He stressed the importance of this control in curbing corruption adding that the reports can be built on in the process of self-assessment.

Mr. **Hussein el- Wehaishi**, director at the First Ministry, Tunisia, said that what counts is the political will to combat corruption not the law provisions themselves. According to him, it is necessary to pay visits to the Arab states to urge them to adopt anti-corruption policies. He proposed to engage the civil society into the process of self-assessment.

Mr. **Redwan Bin Khadra**, representative of the League of Arab States' Secretary General, indicated that the LAS promotes the activities of the self-assessment team and the preparations for establishing the Arab anti-corruption network. He reviewed the LAS' efforts to encourage the Arab states to ratify the UNCAC. According to him, the general secretariat of the Arab ministers of justice is finalizing a proposed Arab anti-corruption convention.

Dr. **Abd el- Shakhanba**, head of the Jordanian Anti-Corruption Authority, stressed the need for coordination among all anti-corruption authorities in the Arab countries. According to him, well-managed national coordination provides the best outcomes at the regional level. An expert entrusted to implement self-assessment should be assisted by a national committee comprising representatives of other anti-corruption bodies in the state to help him answer all the questions related to self-assessment.

[9] Mr. Rashid Abdelwarith Abdelhalim el Menifi and Mr. Abdrabu Garada xxxxxxxx

Session (2): Additional steps to support self-assessment process

Mr. **Hatem Ali** opened the 2nd session by presenting a general and brief explanation of the UNCAC Self-Assessment Checklist Programme. The programme was introduced and explained during the workshop held in Amman, Jordan, in December 2007. The aim of this session is to familiarize the new members of the team with self-assessment tool and give them a special training to raise their knowledge acquired from the older experts. Mr. Ali stressed the importance and role of self-assessment in identifying the needs of the states in a methodological and efficient way, a matter which facilitates the implementation of the UNCAC by the states and activates the provision of proper technical support to the states. He also discussed the contents of the programme and how it could be developed. Mr. Ali considers that the process of self-assessment is going on and important for the Arab states in their attempt to identify their needs for combating corruption. Self-assessment is also essential in providing these states with support as part of the project on "Supporting the UNCAC implementation" launched by the UNDP-POGAR in cooperation with the UNODC.

It was in this context that the Conference of the State Parties held in Bali, Indonesia, in January 2008, recommended the expansion of the UNCAC Self-Assessment Checklist to include additional articles, as it was important for the state parties to identify their needs with respect to issues covered by the UNCAC but not included in the UNCAC Self-Assessment Checklist. The purpose of this session is to discuss the new additional steps to be taken in supporting the process of self-assessment which potentially will include new tools or additional activities. It was against this background that the UNDP-POGAR examined, in cooperation with the UNODC, different possibilities to provide further support in respect of self-assessment. The following steps were taken for this purpose:

1. The Checklist employed for self-assessment was expanded to include additional articles along with the previous fifteen articles to identify the other areas of needed technical assistance for the Arab states with respect to combating corruption so that these countries can combat corruption in a more efficient way in the light of their priorities and in accordance with the UNCAC.
2. A new method for conducting in-depth self-assessment of the Arab states' needs based on the importance of expanding and developing the assessment tools available to the team of experts. The new tool aims to establish specific methodological approaches that can be employed to help the Arab states read their legal and constitutional reality in a practical and objective way and develop their reform action plans and technical assistance programmes on the basis of their real needs.

Mr. Arkan el- Seblani discussed two new documents related to self-assessment. The first describes the second part of the UNCAC's articles to be evaluated, which complements the first part of articles presented in the first workshop. The second document is a good tool for in-depth self-assessment

of the needs for implementing the UNCAC in the Arab countries. The UN experts presented the tool for conducting in-depth self-assessment of the needs and highlighted its importance. A test model was demonstrated which served as a basis for discussion among the team of experts. In general, the new tool contains detailed questions that will help the authorities conduct detailed assessment of their legislative and institutional frameworks in an accurate way that will allow them to identify the forms of the technical assistance required for the implementation of the UNCAC and their strategies to strengthen integrity, transparency and accountability.

The advantage of this tool is that it does not raise general standard questions but, rather, poses detailed questions about each article. The states are completely free to adopt the document and answer its questions. The submitted answers will not be referred to any other body, but will be the subject of further discussions among the team of experts and even at a bilateral level between the respective state and the project team.

Discussions were opened on the new tool for in-depth self-assessment of the states' needs. The participants were given the opportunity to make comments. The following remarks were made:

Mr. **Zakareya el- Ansari**, director of the International Relations Department, Ministry of Justice, Kuwait, was of the opinion that answering these questions involves many details and complexities and would be a heavy burden on the experts and the states themselves.

Judge **Abdullah el- Shamsy**, Chief Judge of Sharqa Court, UAE, asked about the extent to which this tool was mandatory and linked to the Conference of State Parties. He also asked about the benefit of posing more detailed questions while the states have not yet completed their mandatory self-assessment.

Dr. **Mohamed Adinat**, member of the board of directors of the Jordanian Anti-Corruption Authority, stressed the importance of taking into consideration the benefit of these tools compared to the states' burden of answering the assessment questions. The cost of the self-assessment should be measured against its benefit, he said.

Mr. **Bahi Abu el- Dahab**, first undersecretary of the Egyptian Administrative Control Authority, was conservative about the purpose of the assessment and the possibility of using its outcomes as conditions to provide assistance. According to him, this situation creates heavy burden on the experts and imposes more obligations on the states.

Mr. **Yasin el- Said**, member of the Supreme National Authority for Fighting Corruption, Yemen, asked about the mechanisms employed in providing technical assistance and how this assistance could be provided. "Will assistance be provided exclusively to the Arab states away from the UNCAC state parties?" he asked.

Mr. **Monsef Zaghab**, judge at the Ministry of Justice and Human Rights, Tunisia, praised the objective of, and the method used in preparing, the document as it adopts a methodological approach in collecting information. This would contribute to building the capacity of the team of experts, assisting in understanding the provisions of the UNCAC, and analyzing the self-assessment tool more easily. However, he expressed his concern that some answers would be used to put pressure on the states. He linked this to the issue of foreign loans and aids.

Mr. **Mohamed Ban'alilo**, Head of Special Criminal Lawsuits Department, Ministry of Justice, Morocco, said that even if we take for granted that the document aims to better apply the UNCAC through mapping the states' needs for fighting corruption, the problem is that it is difficult to collect the required data and answers. In addition, some questions are complicated and full of details. Other questions are generalized, a matter which obscures their direct aim. He proposed the circulation of this document to the experts so that it should be examined in the light of the inputs, needs, and priorities of each state.

Dr. **Mahmoud Abu Rab**, Head of the Financial and Administrative Control Bureau, PNA, referred to the practical positive impact this tool will have on improving the states' internal performance in fighting corruption. He proposed that this study should be examined and tested in each state so that the states can express their points of view on the questions contained in the document and, thus, on the extent to which they can be answered.

After listening to the remarks, the UN experts emphasized that this tool was a mere internal assessment tool which is designed exclusively to be used by the team of experts. It has nothing to do with reviewing the implementation of the UNCAC. Its aim is to accelerate the process of project development and technical assistance that will be provided. It focuses on examining the real needs of the states to ensure the efficiency of the support provided. Being an assessment tool, it can be employed in developing and implementing the G*f*D projects in the Arab states, they said.

The UN experts also stressed that the tool is optional; meaning that no country is obliged to answer the questions. A state may answer any, all, or nothing of the questions as it likes. It may also adopt and use this tool to achieve internal objectives only. It even can decide to brush it aside. This does not underestimate the practical value of this tool, a matter which was affirmed by participants from Lebanon, PNA and Yemen. At the end of the session, the participants agreed, upon a proposal by Morocco, Egypt and the PNA, to task the representatives of the participating Arab countries with tabling the new assessment tool for discussion in each country and that each country should comment in writing on the document to see how it can be developed utilized in future activities.

Sessions (3) and (4): Discussing the second part of self-assessment questions

In the 3rd and 4th sessions, the UN experts presented the UNCAC self-assessment document tool (Part II). The tool complements Part I, which was presented in Amman, Jordan, in the 1st workshop. Mr. el- Seblani and judge Ali presented the tool that was developed on the basis of the methodology of the UNCAC Self-Assessment Checklist and legislative guide in coordination with the UNODC. The tool was developed taking into consideration the valuable remarks made by the representatives of the Arab countries within the context of the G*f*D activities in the years 2007 and 2008.

Part II of the self-assessment tool discusses the following issues: 1) the public sector, 2) the codes of conduct of public officials, 3) protection of witnesses, experts, victims and whistleblowers, 4) cooperation between the national authorities and the public sector, and 5) international cooperation. The UN experts gave a detailed explanation on some articles of the UNCAC so that the experts will be able to answer the raised questions when returning back to their respective countries. They reviewed Part II which contains 24 independent groups of questions focusing on articles (7, 8, 11, 32, 33, 39, 43, 44, 48, 49, and 50). In each group, the user finds 1) the UNCAC text, 2) the basic elements required to apply the text, and 3) questions aiming to gather information on the states participating in the process of assessment. It is also mentioned that answers should be organized according to the internal sequence of each group. It would be better to refer to the UNCAC text and legislative guide when giving the answers.

In explaining the public sector-related articles, the need to adopt, maintain and strengthen systems for recruitment, hiring, retention, promotion and retirement in the public sector was stressed. The systems should also cover 1) the civil servants, and 2) where appropriate, other non-elected public officials.

In this context, the experts discussed the principles on which these systems should be based. These are: 1) efficiency, 2) transparency, and 3) objective criteria such as merit, equity and aptitude. The systems should also include adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption and the rotation, where appropriate, of such individuals to other positions. They also must encourage adequate remuneration and equitable pay scales, taking into account the level of economic development of the State Party. Further, they should encourage education and training programmes to enable civil servants to meet the requirements for correct, honorable and proper performance of public functions.

The UN experts then explained the extent to which the states had to consider adopting appropriate legislative and administrative measures to prescribe criteria concerning candidature for and election to public office. The focus was placed on the requirements for considering the adoption of appropriate legislative and administrative measures to enhance transparency in the

funding of candidatures for elected public office and, where applicable, the funding of political parties. Explanations were given to the meanings of adopting, maintaining and strengthening systems that promote transparency and prevent conflicts of interest.

The explanation focused on the requirements set out in article (8) concerning the codes of conduct for public officials. Each paragraph of the article was discussed in detail. Questions were raised. The elements of implementing the provisions of this article were also discussed.

Discussions were opened on the second part of the self-assessment questions. Participants made the following comments:

Mr. **Bahi Abu el- Dahab**, first undersecretary of the Egyptian Administrative Control Authority, asked whether the visits paid by anti-corruption experts were a type of assistance. What would be the desired benefit of such assistance? he asked. The UN experts replied that the visits took the form of giving advice and consultation by an expert on developing anti-corruption policies or on implementing specific anti-corruption programmes.

Ms. **Galila Haddad**, head of the Office of Legal and Judicial Cooperation Strategy of the Ministry of Justice, Algeria, asked whether these questions would be prepared as part of an electronic programme as was the case in the first part of questions. What are the criteria for selecting these questions? Will there be a third part of these questions? The experts replied that the document would be electronically developed. The selection of these articles was based on the recommendations of the Regional Conference held in the Dead Sea area early in 2008. A third part of questions will be, if necessary, developed but will cover only four or five articles.

Commenting on the issue of strengthening the procedures related to the public sector, Mr. **Monsef Zaghab**, judge at the Ministry of Justice and Human Rights, Tunisia, asked whether a government expert answering the self-assessment questions have the correct information in his answers to the questions? According to him, this depends on the state's policy and involves a lot of difficulties. In reply to this question, the UN experts explained that the recruitment of an expert to represent a state in conducting self-assessment is a real evidence of the state's firm will to provide correct answers. Mapping of states' needs will assist the experts in understanding and analyzing the UNCAC articles more easily.

Mr. **Hussein el- Wehaishi**, director in the First Ministry, Tunisia, said that the phrasing of assistance giving in the document should be amended. According to him, we have two options. First, assistance is provided to a state if it wants to receive that assistance. In this case, it is up to the state to determine the type of required assistance. The second case is when the state doesn't want to receive assistance.

Dr. **Mahmoud Abu Rab**, Head of the Financial and Administrative Control Bureau, PNA, said that the problem is not blamed on the lack of laws as there

are many laws. Rather, it is related to the application of laws on the ground, which is determined by the state's political will.

Mr. **Zakareya el- Ansari**, director of International Relations Department, Ministry of Justice, Kuwait, agreed with Mr. Zaghab's point of view, the Tunisian representative, concerning the ability of the expert to answer these questions. He proposed deleting this question from the second part of self-assessment questions.

Dr. **Mohamed Adinat**, member of the board of directors of the Jordanian Anti-Corruption Authority, asked about the extent to which there was coordination with the general secretariat of the state parties with respect to this part of questions. In response, the UN experts affirmed that there was coordination in this regard within the framework of the strategic partnership between the UNDP and the UNODC.

Mr. **Mawlay Wild Kwad Wild Mawlay**, the State's Inspector General, Mauritania, commented on the issue of the governmental expert's ability to answer this part of self-assessment questions. "Based on my expertise in fighting corruption and position as an inspector, a person with expertise in this field can measure the extent to which the situation on the ground is consistent with the laws from an objective perspective depending on his expertise in this field.

Mr. **Bahi Abu el- Dahab**, first undersecretary of the Egyptian Administrative Control Authority, said that it was difficult for a government expert to answer the questions of this part of self-assessment unless he was serving in a watchdog agency and is conferred oversight powers, in this field, by the law. He presented the experience of the Egyptian Administrative Control Authority. According to him, the Authority can answer the questions related to the public office, which is part of the self-assessment.

The UN experts addressed the raised questions. They indicated that a government expert is not required to answer these questions immediately. He has to consult his country and coordinate with all oversight bodies. Adding new articles of the UNCAC to the self-assessment questions was proposed by the Conference of State Parties, they said.

The workshop proceedings were wrapped up in preparation for holding the 1st preparatory meeting for establishing an official Arab network for supporting the UNCAC implementation. The recommendations of the two activities will be announced together at the end of the preparatory meeting.

Training session for the new members of the self-assessment Arab government expert team

An afternoon session was devoted for training the new members of the team of Arab government experts for self-assessment. The aspects and strategic pillars of the project of supporting the implementation of the UNCAC in the Arab region were explained. Particular focus was placed on self-assessment

as it is the rationale of any act of development. The reason for this is that self-assessment allows the participation of the beneficiaries in effective planning. It also directs the programmes to meet the real needs of states according to their priorities and peculiarities and in accordance with the UNCAC. Then, Mr. **el- Seblani** presented the programme of the UNCAC Self-Assessment Checklist. He explained how the programme was developed and shed light on its elements, and on how it is generally used. Then, he moved to practical and interactive exercises on specific articles and questions to facilitate the understanding and use of the programme by the new members.

3- Summary of the proceedings of the 1st preparatory meeting for establishing an official Arab network for supporting the UNCAC implementation, 22-23 April 2008

The 1st preparatory meeting for establishing the official Arab network for UNCAC implementation was held as part of the follow-up of the implementation of the final declaration of the Regional Conference which was held early in 2008 to launch the project of supporting the implementation of the UNCAC. In this framework, the Arab representatives held a meeting headed by the chairman of the Jordanian Anti-Corruption Authority. The aim of the meeting was to initiate a process of drafting the charter and bylaws of the proposed Arab network in accordance with the final declaration of the regional conference which was held in the Dead Sea area, Jordan, on 21-23 January 2008.

Session (1): Framework for establishing the official Arab network for supporting UNCAC implementation

After circulating the draft charter and bylaws of the Arab Anti-corruption Network, Dr. **Abd el- Shakhanba** presented the agenda of the preparatory meeting. He outlined the purpose of holding the preparatory meeting, namely, initiating discussion on the charter and bylaws in preparation for adopting them in an expanded regional conference to be held in Jordan in June or July 2008. Dr. **el- Shakhabna** underlined Jordan's strong commitment to working for strengthening integrity, transparency, and accountability and implementing the UNCAC.

Dr. **el- Shakhabna** indicated that the two documents were produced by the UNDP in coordination with the Jordanian Anti-Corruption Authority and in consultation with other supporting organizations; namely, the OECD and the UNODC. The preparatory meeting marked the beginning of coordination and consultation activities that should be activated at the national level as well. A second preparatory meeting may be held immediately before the regional conference to provide an opportunity to finalize the charter and the bylaws.

Then, Mr. **Hatem Ali**, a crime prevention expert in the UNODC, took the floor. He said that the UNODC supports the establishment of the Arab Anti-corruption Network. The UNODC, through the network and proceeding from its strategic partnership with the UNDP-POGAR, will provide support to the Arab states to implement the UNCAC and make their efforts bring fruits. He

then talked about the importance of establishing an Arab network. According to him, the Network will serve as a regional forum for supporting the implementation of the UNCAC, facilitate regional policy dialogue, and contribute to knowledge and capacity building in the areas covered by the UNCAC and to developing technical assistance programmes at the national level to implement the UNCAC in accordance with the priorities of each state. In addition, the Network will support a mechanism for peer learning and advice exchange and for building partnerships to support the implementation of the UNCAC at the national, regional and international levels. The ultimate aim is to develop sound and strong mechanisms for combating corruption and strengthening transparency within the framework of the UNCAC. The process of self-assessment is crucial for supporting the network's activities as the self-assessment identifies the needs and priorities of the states within the framework of fighting corruption.

Mr. **Martin Forest**, representative of the OECD, took the floor and talked about his function as head of the Public Sector and Performance Division of the OECD's Governance and Development Department and about his role in combating corruption. He then talked about the OECD's role in combating corruption in general, and governance and the public sector in particular thanks to its experience and knowledge in this field. According to Mr. Martin, the OECD is ready to provide all kind of support to the Arab network to support the implementation of the UNCAC within the context of its partnership with the UNDP and in cooperation with the UNODC. He attended the meeting to discuss and review international experiences with respect to combating corruption.

Mr. **Arkan el- Seblani**, legal specialist in the UNDP-POGAR, gave a brief speech in the name of Dr. Wasim Harb, the UNDP-POGAR senior consultant on the rule of law. He shed light on the UNDP's support to the establishment of the formal Arab network for supporting the implementation of the UNCAC. The UNDP is ready to continue to serve as the organizing coordinator in establishing the network in cooperation with all partners and under the strategic leadership of the Jordanian Anti-corruption Authority, which coordinates the Arab states' efforts to establish the Arab network as recommended by the Regional Conference held in the Dead Sea area, Jordan, on 21-32 January 2008. Mr. **el- Seblani** talked about the merits of engaging the UNDP-POGAR in support the network establishment. "POGAR already exists in the Arab region and has wide experience in organizing and in combating and preventing corruption. The UNDP also has strong partnerships based on mutual trust with the Arab ministries of justice, formal anti-corruption judicial and governmental bodies and the civil society. These experiences and partnerships can be built on", he said.

The participants, then, made comments. In general, they expressed their strong support to the establishment of the network their desire to be members of the network.

Mr. **Bahi Abu el- Dahab**, first undersecretary of the Egyptian Administrative Control Authority (EACA), said that Egypt's presence in this meeting

evidenced its commitment to the recommendations of the Dead Sea Conference. According to him, Egypt is interested in supporting the establishment of the network as it is committed to the UNCAC implementation. The network is designed to assist the anti-corruption bodies. In Egypt, there are many cooperation programmes implemented between the EACA and other regional and international bodies. However, failure to formulate this cooperation in a strategic framework (a matter which the network is expected to achieve) affects the good potentialities that could be utilized. Therefore, the network presumably will be based on a strategic vision that would allow communication and exchange of experience, thus, leading to enhancing the efficiency of the state's authorities in fighting corruption.

Mr. **Badr El- Mos'ad**, Senior General Solicitor, Kuwait, expressed his country's support and commitment to establishing the network. He hoped that the network would focus on supporting the implementation of the UNCAC.

Judge **George Awad**, head of the Central Inspection Authority, Lebanon, highlighted the importance of the network's role in assisting the local bodies develop and build their capacities. He asked whether governmental bodies from non-state parties to the UNCAC would join the network. If yes, the Central Inspection Authority will join the network and assume the role of the national coordinator to encourage the Lebanese anti-corruption bodies join the network. The answer was "yes", as the purpose of the network is to help the Arab states identify their needs for assistance and provide them with support in this field no matter whether they are parties, or not, to the convention.

Mr. **Sayed Mohamed Aba Wild Sidi Wild Gilani**, State's Inspector General, Mauritania, supported the idea of establishing the network. According to him, Mauritania called for launching such network and offered, during the Dead Sea Conference, to host its works. Still, Mauritania wishes to host some of the network's activities. He added that the network plays a big role as it is a forum for exchanging experience and practices in combating corruption. He stressed his country's commitment to supporting the network establishment.

Mr. **Mohamed Ban'alilo**, Head of the Special Criminal Lawsuits Department, Ministry of Justice, Morocco, said that there was a need for establishing the network as this would give momentum to the efforts at the regional level and enable the Arab states to benefit from the technical support offered by the network.

Dr. **Mahmoud Abu Rab**, Head of the Financial and Administrative Control Bureau, PNA, expressed his support to the network establishment. He stressed the importance of clarifying its mechanisms and procedures as it is established to improve the performance of the bodies involved in fighting corruption.

Mr. **Hassan el- Wehaishi**, director in the First Ministry, Tunisia, welcomed and expressed his support to the establishment of the Arab network for supporting the implementation of the UNCAC. According to him, the Tunisian

anti-corruption authorities and civil society will be represented by one representative in the network. Mr. **Monsef Zaghab**, from the Ministry of Justice and Human Rights, Tunisia, said that the ministry supports the network establishment.

Mr. **Abdullah el- Shamsy**, Chief Judge of Sharqa Court, UAE, stressed the UAE's support for the network establishment. He emphasized the importance of identifying clearly its roles and link to the Conference of State Parties.

Mr. **Yasin el- Said**, member of the Supreme National Anti-Corruption Authority, Yemen, pointed out that Yemen and Jordan were the first countries which called for the establishment of the network in September 2007 during the meetings of the G*f*D's Steering Group held in Cairo, Egypt. Thus, he welcomed the establishment of the Arab network for supporting the implementation of the UNCAC and said that his country was ready to support in all ways and means the network establishment.

Mr. **Radwan Bin Khadra**, representative of the League of Arab States' Secretary General, appreciated the efforts to establish the network, and the LAS would be pleased to join the network. The LAS and the Council of Arab Ministers of Justice are willing, also, to provide support for establishing the network.

Dr. **el- Shakhanba** closed the 1st session. He called on the delegations to prepare their remarks on the network charter and bylaws to discuss them deeply the next day.

Session (2): Discussing the experiences of the other countries interested in corruption combating

Dr. **el- Shakhanba** opened the 2nd session by talking about the importance of benefiting from the experiences of similar anti-corruption bodies from other areas in the world. This, undoubtedly, would enrich the Arab experience and provide the knowledge required for enabling the representatives of Arab states to develop their approaches for establishing the formal Arab network for supporting the implementation of the UNCAC.

Mr. Martin Forest, representative of the OECD, talked about the importance of establishing the Arab anti-corruption network. He presented three successful examples of networks specialized in supporting anti-corruption efforts and strengthening integrity in different parts of the world including the Arab region. He started by explaining the effective mechanism for monitoring the implementation of the OECD convention on Combating Bribery of Foreign Public Officials in International Business Transactions, which was adopted on 21 November 1997 and became effective on 15 February 1999. The second example is a joint initiative called "the joint action plan between the Asian Development Bank (ADB) and the OECD on combating corruption in Asia and the Pacific". Under this joint action plan, twenty one countries in Asia and the Pacific adopted a group of unbinding anti-corruption principles.

The third example is the G*f*D, which is based on establishing specialized networks supporting specific development efforts. These networks include the working group on "civil service and integrity" which plays a very effective role in strengthening integrity in the civil service in the Arab region and exchanging experiences among the states in this field. The working group a network which brings together policy makers and practitioners form Arab countries and OECD countries in the economic field with the aim to promote policy dialogue on more than one of the issues of good governance.

Mr. Stuart Gilman, representative of the UNOCD, discussed the practical ground for establishing a network whose mission is to implement the UNCAC. Mr. **Gilman** presented the four objectives and pillars of the convention: (1) preventive measures (2) criminalization and law enforcement, (3) international cooperation, and (4) asset recovery. He also focused on the role of establishing anti-corruption bodies, which include (1) implementing anti-corruption policies, and overseeing and coordinating the implementation of these policies; and (2) enhancing the dissemination of knowledge about corruption. In this context, an anti-corruption body should be independent so that it can carry out its functions effectively without any unjustified influence. This means the legal and political independence (staff recruitment and dismissal). An anticorruption body should be provided with resources such as budgeting, allocations and human resources along with their training. Its members must enjoy immunity against civil actions.

Mr. **Gilman** outlined that it would be necessary for the UNCAC's state parties to provide each other with technical assistance as much as possible. They should also adopt measures to exchange experiences and promote cooperation at different levels. According to him, establishing an anti-corruption network would achieve this aim, and help exchange successful experiences among the experts of the member states with respect to practical issues related to promoting the role of anti-corruption bodies.

In this context Mr. **Gilman** reviewed the experience of the Anti-Corruption Network for Eastern Europe. It is a group of individuals concerned with combating corruption in Eastern Europe and the Newly Independent States. The membership of the network includes practitioners and experts from the state itself or from international organizations. According to Mr. **Gilman**, the network aims to find solutions for the legal problems arising when fighting corruption. This is to develop new methods to be employed in combating corruption. He noted that the idea of establishing the network was developed during the regional anti-corruption forum held in Vienna, Austria.

According to Mr. **Gilman**, the limited capabilities of the anti-corruption bodies and the lack of training for the member states' anti-corruption experts were the main reasons for establishing the network. Mutual cooperation among the states by establishing the network would meet the need to build and enhance capabilities in this regard. The network, established in 2006, provides knowledge exchange, technical assistance, and technical advice in developing effective bylawss that help the states in combating corruption at the institutional, procedural, and subjective levels. A website was created for

the network explaining its objectives and activities and providing general information on it.

Session (3): Presenting and discussing the proposed text of the Arab Network's charter and bylaws

Dr. **Shakhanba**, first, presented the general framework and the possible steps to be taken for following up the implementation of the Dead Sea Conference's recommendations (session 1). He, then, talked about the successful experiences and useful lessons learned from other networks supporting anti-corruption activities or monitoring and supporting the implementation of relevant multilateral agreements (session 2). Finally, he called on the attending representatives of the participating Arab states to discuss the charter and bylaws of the Arab Network for supporting the UNCAC implementation.

Morocco: Mr. **Mohammed Ban'alilo**, head of Special Lawsuits Department of the Ministry of Justice, said that it was important to add to the preamble of the network charter a clause stressing the role of the League of Arab States (LAS) as a joint Arab framework supporting these efforts. According to him, the purpose of establishing the network is mentioned in general terms and not detailed into sub-purposes. It is also necessary to conduct in-depth debate on issues related to the sub-purposes of the network. He also made remarks on how to assess the extent to which the network objectives have been achieved. He noted that there was a need to develop indicators to assess the extent to which these objectives have been met.

He asked about the funding resources; how funding will be obtained and whether it will be occasional without clear and long-term plans. He said that the assessment of the needs should be more focused. He also addressed the issue of internal and external interaction among the network members. Concluding his presentation, Mr. **Ban'alilo** proposed that the network's bylaws should take into consideration certain standards on credibility, consultation, commitment, merit and realism in the network's activities. Finally, he called for conducted deep discussion to clarify the network's organizational structure.

LAS: Mr. Raedwan Bin Khadra, representative of the League of Arab States' Secretary General, proposed adding a clause on LAS. He promised that the LAS will support any Arab joint action in fighting corruption.

Yemen: Mr. **Yasin el- Said**, member of the Supreme National Authority for Fighting Corruption, Yemen, asked about the role and functions of the network and its relation to the Conference of State Parties with respect to assisting the Arab states in implementing the UNCAC and exchanging knowledge among each other. He also asked about the concept of "other organizations" with which the network will be in contact. "Will network deal with the civil society directly?", he asked. He called for explaining in details the nature of these organizations.

United Arab Emirates: Judge **Abdullah el-Shamsi**, Chief Judge of Sharqa court, called for adjusting the wording of the purpose clause of the network. There should be explanation and common understanding of what is meant by "integration" contained in the purpose. However, he would not prefer using this term. He supported the Moroccan call for adding a separate paragraph on LAS as a framework for supporting the network. Concerning the issue of asset recovery, he said that the network should respect the principle of sovereignty. In this context, interaction with the civil society should be consistent with the national legislation. There should be added to Paragraph (4) of the preamble, the words "in conformity with the national legislation", he said.

Tunisia: Judge **Monsef Zaghap**, representative of the Ministry of Justice, Tunisia, expressed his support to the Moroccan proposal with respect to LAS. But, he did not agree with the Moroccan representative's comment on the purpose and strategic objectives of the Network. The general purpose is already explained in the strategic objectives. There is no need to explain or limit the meaning of the term "other organizations". Rather, the Network should determine what is meant by this term. During the discussions, he asked about the methods of communication among the network members and the role assigned to the regional support unit. He called for elaborating the words "support unit" in the charter to clarify the nature of this unit. The main problematic area is the aspects of integration between Conference of State Parties and the network as well as the features of the link to the parallel network (in respect of the question raised by Yemen on consultation meetings). Concluding his presentation, he commended the Arab network and its bylaws. "Indeed, the document is good and distinguished", he said. He proposed that each Arab state should provide its comments in writing.

Palestinian National Authority: **Dr. Mahmoud Abu el-Rab**, head of the Administrative and Financial Control Bureau, discussed some points upon which the charter and the by-laws should focus. Our vision is to create "an Arab society free of corruption. Our mission is to promote integrity, transparency and accountability. I agree with the essential values in the charter. The strategic goals should be clearly formulated", he said. He stressed his support to the Arab Network.

Libya: Mr. **Kamal el-Bahari**, Director of the General Department of International Cooperation and Relations, proposed that LAS should support the idea of establishing the Arab Network.

Mauritania: **Mr. Mawlay Wild Kwad Wild Mawlay**, Inspector General of Mauritania, called for clarifying the concept of engaging the civil society in the Network. According to him, an essential principle for the success of the network should be the principle of independence both at the level of the Arab states, the donors, or the supporting organizations.

Lebanon: Judge **George Awad**, Head of the Central Inspection Authority in Lebanon, supported the contents of the draft charter and by-laws stressing that the principle of state sovereignty should be respected.

Kuwait: Mr. **Badri el-Mos'ad**, General Solicitor, said his country was committed to the Dead Sea declaration. According to him, the essential goal of the network is to promote the implementation of the UNCAC. There is also a need to pay attention to creating a parallel network for the non-governmental organizations. He asked about the role of donor countries and organizing institutions, which must be carried out within the framework of respecting the principle of sovereignty. He noted that it would be better if the donors are Arab countries. He also emphasized the role of LAS in supporting the network.

Jordan: Judge **Ali el- Damour**, member of the Anti-corruption Authority, said that all formal anti-corruption institutions within the Executive or the Judicial will have access to the Network. However, to respect the judiciary's independence, the judicial bodies should not be mentioned specifically in the charter. Instead, membership of the Network should be limited to all "official" authorities.

Egypt: **Bahi Abu Dahab**, first undersecretary of the Egyptian Administrative Control Authority, supported the previous comments. He was of the opinion that the network should be a permanent regional forum led by the Arab anti-corruption institutions to function effectively and away from complexities. He also talked about information exchange which must be carried out pursuant to the by-laws of each member entity.

Algeria: Ms. **Galila Haddad**, head of legal and judicial cooperation strategy office, Ministry of Justice, had some remarks on the calls for assigning a role for the LAS in the Network and called for careful drafting of the charter and bylaws. She said that the Network should be integrated in the Conference of State Parties and expressed reservation on the parallel network. According to her, there is no need for excessive concentration on the parallel network as this is unnecessary. She asked about the role of the team of Arab government experts for self-assessment in the Network.

In conclusion, the UNDP-POGAR and UNODC experts gave explanations on the importance of engaging the civil society and private sector in a consultative and voluntary framework pursuant to the recommendations of the Dead Sea Declaration.

They also explained how the Network's independence would be safeguarded in terms of the selection of donors and unofficial bodies which will support its activities. They also stressed the need to coordinate with these bodies to ensure avoiding duplicity and best employment of the resources and skills.

Finally, the experts reemphasized that the relation with the Conference of State Parties is based on coordination to avoid any conflict with the Conference of State Parties' recommendations.

The UNDP-POGAR experts put down all remarks and comments. A new draft of the document will be circulated to the participants as soon as possible.

The closing session: Closing the proceedings of the 1st meeting and approving the recommendations

At the end of the 1st preparatory meeting for establishing the Arab network for UNCAC implementation, **Dr. Shakhanba**, head of the Jordanian Anti-corruption Authority, reviewed the recommendations, which were divided into two parts. The first part covered the establishment of the network while the second part discussed the issue of self-assessment.

The participants emphasized once again the importance of establishing the Arab network and approved the results of consultations held on its charter and by-laws. The Drafting Committee was assigned to amend the project document in the light of the expressed comments. The participants considered the consultations as a rational base for establishing the Arab network. They called for holding a series of consultations to complete and deepen the dialogue on revising the charter and by-laws of the network. The purpose is to produce a final version of the charter and the by-laws to adopt them in an expanded regional conference marking the launch of the network. The participants thanked the UNDP-POGAR, UNODC and OECD for their support to the establishment of the network. They also underlined the role of LAS in supporting the Network's creation as LAS provides the regional framework for joint Arab action.

As to the UNCAC self-assessment methodologies, the participants praised the efforts of the states which completed the first part of self-assessment. They called on the team of Arab governmental experts from the other Arab countries to speed up and complete the self-assessment process.

The participants also called for commencing the process of answering the second part of self-assessment questions, which aim to identify tentatively the legal and institutional status of fighting corruption and the efforts to strengthen integrity, transparency and accountability in the Arab region. This would be done parallel to the required efforts to develop the technical assistance programs in conformity with the Arab countries' commitments to the Conference of State Parties in respect of the duty of reporting.

The representatives of the participating Arab countries were told to take into account the in-depth self-assessment tool to develop it through consultations and enable the states desiring to benefit from it to adopt it as a main assessment tool and a method for providing assistance according to their national priorities.

Finally, Mr. **Mohammed Abd el- Nabawi**, Director of the Criminal Affairs and Amnesty in the Ministry of Justice, Morocco, representing the Minister of Justice, thanked all attendees. He expressed his gratitude to the co-organizers of these two events. Special thanks were given to the UNDP-POGAR, UNODC and the OECD for their efforts to make success of the two events. Mr. **el- Nabawi** commended the outcomes, recommendations and the discussions held, through which views, experiences, and knowledge on fighting corruption were exchanged. He expressed his pleasure that Morocco

hosted this event. This, according to him, proves Morocco's interest in the issue of combating corruption proceeding from its true vision in this regard.

4. Conclusion

The activities of the two events were closed. The activities are deemed an important step towards building and strengthening the capacities of the Arab governmental experts for self-assessment and, thus, a significant tool for extending and deepening the UNCAC self-assessment so that it can serve the Arab states wishing to implement the UNCAC and improve their legal and institutional frameworks with the purpose of strengthening integrity, transparency, and accountability, and fighting corruption.

The two events are a crucial step towards the establishment of the Arab network for supporting the UNCAC implementation. They are the first building block of consultations aimed to continue to hold deep discussion and dialogue for improving the Network's charter and bylaws. The purpose of this consultation is to prepare for the adoption of the final version of the charter and bylaws so that they can be formally approved in the expanded regional conference that will be held in Jordan in June or July 2008 marking the network launch. The high level of attendance at the preparatory meeting showed the commitment of the Arab states to establishing the Arab network within the context of the UNCAC implementation and underlined the continued effective engagement of these states in the G*f*D initiative.