HOLISTIC INTEGRITY FRAMEWORKS TO ADDRESS CORRUPTION

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Introduction

Corruption is a complex and multi-faceted phenomenon which hinders development and undermines the security of societies. Combating corruption in all its forms requires a response that is holistic, multi-disciplinary, co-ordinated and goes beyond the traditional public-private sector divide.

In recognition of the adverse impact of corruption on development and security, nearly all Pacific Island countries (PICs) have either ratified or acceded to the United Nations Convention against Corruption (UNCAC)[1] (see Figure 1). UNCAC is the only legally binding, global anti-corruption instrument. The Convention was adopted by the General Assembly in October 2003 and entered into force in December 2005. To date, there are 186 States parties to UNCAC, representing a ground-breaking commitment to tackle corruption.[2]

FIGURE 1: PICs' ratification or accession to UNCAC

2007
Papua New Guinea was the first Pacific Island Country to ratify the Convention

2009
Palau accedes to the Convention

2010
Fiji accedes to the Convention

2011
Vanuatu, the Cook Islands and the **Republic of the Marshall Islands accede/ratify the Convention** accedes to the Convention

2012
The **Solomon Islands, Federated States of Micronesia** and **Nauru** accede to the Convention

2013
Kiribati accedes to the Convention

2015
Tuvalu accedes to the Convention

2017
Niue accedes to the Convention

2018
Samoa accedes to the Convention

2019
Tonga accedes to the Convention

1 *United Nations Convention Against Corruption*, GA Res 58/4, UN GAOR, UN Doc A/58/422 (14 December 2005).
2 UNODC. 2020. Signature and Ratification Status [online]. Available from: https://www.unodc.org/unodc/en/corruption/ratification-status.html.

UNCAC is unique in its holistic approach as it adopts both prevention and enforcement measures, and calls for the criminalization of the most prevalent forms of corrupt behaviours.[3] The Convention also reflects the transnational nature of corruption, providing an international legal basis for enabling international cooperation and recovering proceeds of corruption (i.e. stolen assets). The important role of government, the private sector and civil society in fighting corruption is also emphasized. The Convention includes the mechanism for the review of implementation (UNCAC Review Mechanism),[4] whereby each State party is reviewed periodically by two other States parties on its implementation of UNCAC, and the Convention also calls on each State party to provide technical assistance and training, and exchange information for the purpose of strengthening implementation. There are four major thematic areas of the Convention: preventive measures; criminalization and law enforcement; international cooperation; and asset recovery (see Figure 2).

FIGURE 2: Summary of key UNCAC Chapters

Chapter 2: Preventive Measures	UNCAC	Chapter 3: Criminalisation & Law Enforcement
Chapter 4: International Cooperation		Chapter 5: Asset Recovery

Corruption Prevention

Prevention, as they say, is better than a cure. This is also the case in fighting corruption. By focusing on corruption prevention, the impact of corrupt behaviour can be reduced. For example, effective corruption prevention can: reduce opportunities for tax evasion thus increasing revenues; ensure a more even playing field for the private sector by limiting unfair advantages in winning contracts or achieving business licenses; and reduce leakage of public funds destined for delivering health and education services or building roads and other critical infrastructure.

As such, the Convention dedicates Chapter II to corruption prevention with measures directed at both the public and private sectors. These measures include: developing and implementing

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3 *United Nations Convention Against Corruption, op.cit.*, Forward.
4 UNODC. 2011. Mechanism for the Review of Implementation - Basic Documents [online]. Available from: https://www.unodc.org/documents/treaties/UNCAC/Publications/ReviewMechanism-BasicDocuments/Mechanism_for_the_Review_of_Implementation_-_Basic_Documents_-_E.pdf.

anti-corruption policies and practices; ensure the existence of a body or bodies to implement prevention policies and to share anti-corruption knowledge; maintaining proper systems for the recruitment, hiring and promotion of public officials; ensuring transparency in the funding of political parties and candidates; preventing conflicts of interest and maintaining codes of conduct for public officials; enabling the reporting of corrupt conduct; maintaining financial and other disclosures by public officials; as well as enforcing appropriate disciplinary measures. The Convention also requires: effective systems of procurement, based on transparency, competition and objective criteria in decision-making; transparency, accountability and integrity in managing public finances; transparency in public administration, including providing access to information; the integrity and independence of the judiciary and prosecution services; preventing corruption in the private sector; promoting the participation of civil society and individuals in the fight against corruption; and preventing money-laundering.

As a fundamental preventive provision, UNCAC article 5 requires States parties to take an effective and coordinated approach to the prevention of corruption. It stipulates that each State party should:
(a) develop and implement or maintain effective, coordinated anti-corruption policies that encourage the participation of society, reflect the rule of law and promote sound and transparent administration of public affairs;
(b) establish and promote effective practices aimed at the prevention of corruption; and
(c) periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.

In the pursuit of these aims, article 5 requires States parties to collaborate with each other, as well as with relevant international and regional organizations, as appropriate and in accordance with their fundamental principles of law.

UNCAC article 6 requires States parties to ensure the existence of a body or bodies that will prevent corruption by implementing, overseeing and coordinating preventive policies, as well as increasing and disseminating knowledge about the prevention of corruption. This article is intimately linked with and complements UNCAC article 5 on policies and practices to prevent corruption. Article 6 is not intended to refer to the establishment of a specific agency at a specific level.[5] The broad range of anti-corruption policies and measures outlined in UNCAC Chapter II cannot be effectively implemented by one agency alone. What is needed is the capacity to perform the functions enumerated by the article.[6] The preventative anti-corruption measures envisaged by Chapter II are often pursued through a series of cross-cutting policies,

5 UNODC, 2006. Legislative guide for the implementation of the United Nations Convention against Corruption. UNODC [online]. Available from: https://www.unodc.org/unodc/en/treaties/CAC/legislative-guide.html.
6 *Ibid.*

such as public financial management and administration reform, government and external auditing, and transparency and probity policies, the development and implementation of which are assigned to different ministries, departments and other public agencies. For example, while a public procurement policy may be entrusted to a central procurement policy unit, the day-to-day implementation may involve procurement units of all government ministries and agencies, a tender board and the Auditor General's Office.[7] It is to be noted that UNCAC article 36 focuses on specialized authorities, notably the existence of a body or bodies or persons specialized in combating corruption through law enforcement.

In addition, States parties are required to grant the body or bodies not only the necessary independence to perform its or their functions, but also the resources needed to do so. This means that to be effective, States parties may appoint a variety of different institutions to implement these policies.[8] Given that countries may already have different existing agencies assigned to the responsibilities and functions envisaged by UNCAC articles 6 and 36, institutional coordination is vital in ensuring effective implementation of article 6.[9] Table 1 below provides an overview of key anti-corruption commitments and bodies in the Pacific.

In implementing its provisions, UNCAC recognizes the role of actors external to government in combating corruption by calling on governments to increase transparency, improve public access to information and promote public contributions to government decision-making processes. Calling on governments to increasing transparency enables groups that otherwise would not be able to participate to be involved in governance, and implicitly recognizes that the whole-of-society has a role to play in keeping government accountable for its actions. In the Forward of UNCAC, former United Nations Secretary-General Kofi Annan stated, "the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organisations and community-based organisations, if their efforts are to be effective"[10]. In addition, UNCAC article 13 expressly mandates States parties to promote the active participation of civil society and non-government organizations in the prevention of corruption.[11]

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7 Further see: Hussman, K, et al. 2009. Institutional arrangements for corruption prevention: considerations for the implementation of the United Nations Convention against Corruption. U4 Anti-Corruption Resource Centre [online]. Available from: https://www.u4.no/publications/institutional-arrangements-for-corruption-prevention-considerations-for-the-implementation-of-the-united-nations-convention-against-corruption-article-6/.
8 *Ibid.*
9 UNODC, Legislative guide., *op.cit.*
10 United Nations Convention Against Corruption, *op.cit.*, Forward.
11 For more details, see: UN-PRAC. 2020. The Role of Non-State Actors and Citizens in Corruption Prevention in the Pacific.

TABLE 1: Key national anti-corruption commitments and bodies

State party	Ratification, Accession (a)	National Anti-Corruption Committee	National Anti-Corruption Strategy	Independent Commission Against Corruption
Cook Islands	17 October 2011 a	Yes	No	No
Federated States of Micronesia	21 March 2012 a	Under development	Under development	No
Fiji	14 May 2008 a	No	No	Yes
Kiribati	27 September 2013 a	Yes	Yes	No
Nauru	12 July 2012 a	No	No	No
Niue	3 October 2017 a	No	No	No
Palau	24 March 2009 a	No	No	No
Papua New Guinea	16 July 2007	Yes	Yes	Amendment to establish enshrined in Constitution
Republic of the Marshall Islands	17 November 2011 a	Yes	No	No
Samoa	18 April 2018 a	No	No	No
Solomon Islands	6 January 2012 a	Yes	Yes	Yes
Tonga	Not ratified	No	No	Legislation drafted
Tuvalu	4 September 2015 a	Under development	Under development	No
Vanuatu	12 July 2011 a	Yes	Under development	No

The 2030 Agenda for Sustainable Development and the Sustainable Development Goals

The 2030 Agenda for Sustainable Development (2030 Agenda) was adopted by all United Nations Member States in 2015. At the heart of the 2030 Agenda are the 17 Sustainable Development Goals (SDGs), which set the agenda for global collaboration on some of the world's most pressing development issues. Covering issues across the three dimensions of sustainable development—environmental, social and economic—the SDGs are universally applicable to all countries and pledge to be 'people-centred' and 'leave no one behind'. While the SDGs are not legally binding, governments are expected to take ownership and establish national frameworks, as the implementation, and success of the SGDs will rely on countries' own sustainable development policies, plans and programmes.[12]

The 2030 Agenda also recognizes that progress in promoting sustainable development requires strong partnerships across society. To ensure that the SDGs are truly 'people-centred', SDG implementation should not be 'top-down', but instead driven through partnerships and collaborations across all sectors and segments of society, including all levels of governments, civil society, the private sector and a wide range of other stakeholders. This will be critical to ensuring that governments are responsive to the demonstrated needs of the diverse segments of their country.[13]

Good Governance and Anti-Corruption in the SDGs

While all the SGDs are interconnected and work together to create an environment that is resistant to corruption, SDG 16 includes an explicit recognition of the need to combat corruption in order to "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels"[14]. In this sense, SDG 16 is both an outcome and enabler of sustainable development. SDG 16 recognizes that peace, justice and inclusion are critical 'enablers' to achieving other SDGs— such as to end poverty, ensure education or conserve oceans—and is therefore often referred to as an 'enabling goal', recognizing that without peace, justice and inclusion, the other SDGs may be difficult (or even impossible) to achieve.[15] SDG 16 includes multiple targets focused on

12 United Nations. 2020.The Sustainable Development Agenda [online]. Available from: https://www.un.org/sustainabledevelopment/development-agenda/.
13 *Ibid.*
14 United Nations. 2020. Goal 16: Promote just, peaceful and inclusive societies [online]. Available from: https://www.un.org/sustainabledevelopment/peace-justice/.
15 SDG 16 Hub. 2020. SDG 16 Interlinkages [online]. Available from: https://www.sdg16hub.org/landing-page/interlinkages.

strengthening accountability and transparency, tackling bribery and corruption and recovering stolen assets. Table 2 below includes some of these targets.

TABLE 2: Excerpts from SDG 16 Targets and Indicators relevant to addressing corruption

SDG 16 Target	SDG-16 Indicators
16.4: By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime	16.4.1: Total value of inward and outward illicit financial flows (in United States dollars)
	16.4.2: Not relevant to anti-corruption efforts
16.5: Substantially reduce corruption and bribery in all their forms	16.5.1: Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months
	16.5.2: Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months
16.6: Develop effective, accountable and transparent institutions at all levels	16.6.1: Not relevant to anti-corruption efforts
	16.6.2: Proportion of the population satisfied with their last experience of public services
16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements	16.10.1: Not relevant to anti-corruption efforts
	16.10.2: Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information

Regional Anti-Corruption Frameworks in the Pacific

In addition to international frameworks, several Pacific regional frameworks emphasize the importance of both anti-corruption measures, and peace and security across the region. The Framework for Pacific Regionalism was endorsed by Pacific Islands Forum Leaders in July 2014.[16] It establishes a new strategic frame to progress Pacific regionalism to more effectively implement the vision and intent of Pacific Leaders. The overarching vision of Pacific Leaders was "for a region of peace, harmony, security, social inclusion and prosperity, so that all Pacific

16 Pacific Islands Forum Secretariat. 2014. Framework for Pacific Regionalism [online]. Available from: https://www.forumsec.org/wp-content/uploads/2017/09/Framework-for-Pacific-Regionalism.pdf.

people can lead free, healthy and productive lives"[17]. Key strategic outcomes in the Framework include promoting people-centred development and strong Pacific governance for a peaceful and stable region. These outcomes combine efforts towards a human security approach with the promotion of good governance, democratic structures and practices, and representative decision-making. The Framework is underpinned by the principle of inclusivity to guide all policy-making and implementation. In the Forum Leaders' 2017 Communique when the Pacific Roadmap for Sustainable Development was endorsed,[18] Leaders reinforced the centrality of the Framework in contextualizing global commitments under the 2030 Agenda and the SIDS Accelerated Modalities of Action Pathway (SAMOA Pathway).[19]

Pacific Island Leaders at the 2018 Leaders' Forum agreed on an 'expanded concept of security', which includes human, environmental and resource, transnational, and cyber security.[20] Leaders adopted a strategy to address these challenges in the Boe Declaration on Regional Security (also known as 'Biketawa Plus').[21] The Action Plan adopted in 2019 to implement the Boe Declaration on Regional Security clearly highlights corruption in strategic focus areas 4 and 6.[22] Strategic focus area 4 on transnational crime specifically includes actions to "support regional initiatives and strengthen efforts to combat corruption by public officials"; strategic focus area 6 on creating an enabling environment for implementation includes an appropriate coordination mechanism and refers to "strengthening good governance, rule of law and enhancing anti-corruption and electoral processes under the Biketawa Declaration"[23].

Further, the coordination of the United Nations' SDG response in the Pacific through the United Nations Pacific Strategy 2018-2022 localizes the SDG framework into six strategic outcomes. Outcome 5—Governance and Community Engagement—seeks to "develop innovative

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17 *Ibid.*

18 The Pacific Roadmap for Sustainable Development was prepared by the Pacific SDGs Taskforce and guides regional responses for the achievement of the 2030 Agenda and SDGs within the context of national plans and priorities, the SAMOA Pathway and the Framework for Pacific Regionalism. See Pacific Islands Forum Secretariat. 2018. The Pacific Roadmap for Sustainable Development [online]. Available from: https://www.forumsec.org/wp-content/uploads/2018/10/The-Pacific-Roadmap-for-Sustainable-Development.pdf; also see: Pacific Islands Forum Secretariat. 2017. 48th Pacific Island Leaders Forum Communique [online]. Available from: https://www.forumsec.org/wp-content/uploads/2018/02/Final_48-PIF-Communique_2017_14Sep17.pdf.

19 United Nations. 2014. Small Island Developing States Accelerated Modalities of Action (SAMOA Pathway) [online]. Available from: https://sustainabledevelopment.un.org/sids2014/samoapathway.

20 Pacific Islands Forum Secretariat. 2018. 2018 Pacific Islands Forum Foreign Ministers Meeting Outcomes [online]. Available from: https://www.forumsec.org/2018-pacific-islands-forum-foreign-ministers-meeting-outcomes/.

21 The Boe Declaration is an update on the mechanism used to establish the Regional Assistance Mission to Solomon Islands from 2003 to 2017. See: Pacific Islands Form Secretariat. 2018. Boe Declaration on Regional Security [online]. Available from: https://www.forumsec.org/boe-declaration-on-regional-security/.

22 Boe Declaration Action Plan (PIFS: 2019) Brief available from: http://www.forumsec.org/wp-content/uploads/2019/03/Updated-Brief-on-Boe-Declaration-Action-Plan-1.pdf.

23 *Ibid.*

mechanisms to increase interaction and consultation with citizens, focusing on marginalised groups, in particular women and youth."[24]

Understanding Corruption

The specific context in which corruption occurs and the different forms of corruption are important for selecting the objectives, strategies and tools to address it, as well as for setting reasonable expectations and risk management measures.[25] There are three common used models for understanding corruption, each of which can help identify possible avenues to address it. In many cases, initiatives need to consider insights from all three models.

Model 1: Principal/agent

Traditionally, corruption has been viewed as a problem of principal and agent, in which a principal (e.g. a country's population) charges the agent (e.g. the government or civil servants) to fulfil a task considered beneficial to the principal (e.g. provide public services).[26] A principal-agent problem stems from two assumptions: that the principal and agent have diverging interests; and that the agent has more information than the principal. Due to the principal having less information than the agent, the principal is unable to monitor the actions of the agent, and the agent can therefore pursue its own interests if it choose to do so.[27] Under this model, corruption arises when the agent (e.g. the public official) sees an opportunity to stray away from its task in order to obtain some benefit (e.g. by embezzling or diverting public funds or by demanding bribes). Viewed through this lens, anti-corruption approaches would seek to eliminate the opportunities for this to happen by either increasing the chance that the corrupt agent is discovered and punished (essentially, to close the information gap between the principal and agent, so that the agent can be effectively monitored) or by deterring the agent from deciding to act corruptly in the first place. Some government reforms have therefore aimed to, for example, minimize monopolies, reduce the discretion of public officials, increase monitoring mechanisms, promote transparency in government, strengthen sanctions for corrupt behaviour and support civil society groups to act as watchdogs.[28]

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24 United Nations in the Pacific. 2017. United Nations Pacific Strategy 2018 – 2022 [online]. Available from: https://www.unicef.org/about/execboard/files/Final_UNPS_2018-2022_Pacific.pdf.
25 United Nations Department of Economic and Social Affairs. 2019. Sustainable Development Goal 16: Focus on Public Institutions. World Public Sector Report 2019 [online]. Available from: https://publicadministration.un.org/publications/content/PDFs/World%20Public%20Sector%20Report2019.pdf, p. 42.
26 *Ibid.*
27 Marquette, H. and Peiffer, C. 2015. Corruption and Collective Action. University of Birmingham & U4 Anti-Corruption Resource Centre. [online]. Available from: http://pure-oai.bham.ac.uk/ws/files/19752251/CorruptionandCollectiveAction.pdf, p. 2.
28 *Ibid.*

Model 2: Collective action

Some authors have criticized the principal-agent view and instead argued that, in certain contexts, corruption is a collective action problem with this notably being the case in circumstances of systemic corruption.[29] This model highlights that when corruption is the rule rather than the exception, the costs of acting against corruption are too high and the expectations of finding institutions or other actors to combat corruption are too low, leaving the 'principal' incapable or unwilling to act against corrupt agents.[30] A collective action problem occurs when members of a group believe it is in their individual interests to not contribute at all or to limit their contributions to solving a problem, even when it would be in the best interest of all individuals within the group to act together to solve the problem.[31] This theory places an emphasis on the incentives for groups to condone or resist corrupt behaviour, and argues that what impacts a person's perceived interests can often depend on how individuals in the group think other members of the group will act.[32] In other words, individuals will only choose not to act in their own short-term self-interest and instead act for the common good when they expect others to do the same.[33] From this perspective, the emphasis would not be on specific anti-corruption measures, but on creating an environment where actors want to engage against corruption in the first place.[34]

Viewing corruption as a collective action problem provides a strong explanation for the previous failures of anti-corruption interventions and reveals different characteristics and drivers of corruption to those of the principal-agent theory.[35] For example, a lack of 'political will' is often cited as a reason for the failure of anti-corruption interventions, such as where a leader lacks the 'political will' to make the first move to implement anti-corruption reforms, because s/he cannot trust that others will follow suit and is therefore concerned that that any first move is both wasted and not rewarded, or even that it could be punished.

Collective action theory inspired anti-corruption approaches may therefore include values-based training and public awareness-raising on the impacts of corruption, with the goal of building trust within a society so that individuals believe that the whole-of-society is focused

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29 Persson, A., Rothstein, B., and Teorell, J. 2013. Why anti-corruption reforms fail - systemic corruption as a collective action problem. Governance, 26 (3), 449-471. [online]. Available from: doi:10.1111/j.1468-0491.2012.01604.x; Mungiu-Pippidi, A, et al. 2011. Contextual Choices in Fighting Corruption: Lessons Learned, NORAD, Report 4/2011, July 2011, OECD [online]. Available from: https://www.oecd.org/countries/zambia/48912957.pdf; Bauhr, M., and Nasiritousi, N. 2011. Why pay bribes? Collective action and anti-corruption efforts. Gothenburg: The QoG Institute [online]. Available from: https://www.sahlgrenska.gu.se/digitalAssets/1357/1357856_2011_18_bauhr_nasiritousi.pdf.
30 *Ibid.*
31 Marquette and Peiffer, *op.cit.*, p. 3.
32 *Ibid.*
33 Bauhr and Nasiritousi, *op.cit.*, p. 17.
34 *Ibid.*, p.16.
35 Persson, Rothstein and Teorell, *op.cit.*, p. 16.

on preventing and fighting corruption.[36] This approach requires collaboration and sustained cooperation between stakeholders in the private and public sectors, civil society and others (see Box 1 for an example of a collective action inspired approach).

Box 1 – Example of a collective action approach

"Guided by the belief that a country's natural resources belong to its citizens, the Extractive Industries Transparency Initiative (EITI) established a global standard to promote the open and accountable management of oil, gas and mineral resources. The EITI Standard requires the disclosure of information along the extractive industry value chain, from how extraction rights are awarded, to how revenues make their way through the government and how they benefit the public.

By doing so, the EITI seeks to strengthen public and corporate governance, promote understanding of natural resource management and provide the data to inform reforms for greater transparency and accountability in the extractives sector. In each of the 52 implementing countries, the EITI is supported by a coalition of government, companies and civil society."[37]

Model 3: Problem-solving

In some contexts, such as post-conflict situations, corruption may be used as a temporary solution to deeply-rooted social, structural, economic and political problems when no other alternatives are effectively working, such as under failed institutions or in the absence of trust.[38] The problem-solving model finds that anti-corruption measures can only be effective if they seek to solve the problems that people are currently using corruption to solve and provide alternatives.[39]

The Importance of Context

Each of these common models contributes to strengthening an understanding of corruption. While there are some similarities between principal-agent and collective action theories, it is the context in which corruption takes place that ultimately determines how it should be addressed.[40] There is no 'silver bullet' for anti-corruption and any solution to corruption needs to be localized and adapted to individual country contexts and may include a hybrid of models (see Box 2).

36 Marquette and Peiffer, *op.cit.*, p. 11.
37 EITI. 2020. Who we are. [online]. Available from: https://eiti.org/who-we-are.
38 United Nations Department of Economic and Social Affairs, *op.cit.*
39 Marquette and Peiffer, *op.cit., Executive Summary.*
40 *Ibid.*

Box 2: No 'silver bullet' for anti-corruption

In a 2016 round-table on the effective implementation of UNCAC in support of the SDGs, it was stressed that:
- Long-term efforts are required to change the strong, firmly embedded interests of those who are taking advantage of the existing situation;
- Empowerment of local actors and sustained social movement are crucial;
- Creative ways to enforce the rule of law should be found;
- There are no 'one-size-fits-all' solutions; and
- Proper analysis, indicators and a monitoring and evaluation framework are crucial.

Source: "For an effective implementation of UNCAC in support of SDG Goal", Panel discussion at the International Anti-Corruption Conference, Panama City, Panama, 2016.

An example on the importance of context is demonstrated in the report on public financial management reforms in Kiribati and Tonga between 2010 and 2014.[41] This report, "Strengthening Public Financial Management Reforms in Pacific Island Countries", called on an increased focus on political economy, as it found that public financial management reforms were often based on assumptions that did not hold in PICs.[42] For example, reforms to strengthen public and parliamentary transparency assumed that the public could and would hold policy-makers to account for poor performance and corruption, and that policy makers could, in turn, drive corrective change within the bureaucracy. However, public expenditure and financial accountability assessments noted that action was not taken on audit reports. This was likely because civil society lacked the capacity and knowledge to leverage budget transparency towards policy change, and ministers and senior civil servants were often unable to drive change within bureaucracies where personal relationships, informal institutions, and cultural norms exerted strong influence. The report therefore recommended that future reforms reflect country priorities, take account of country constraints (including capacity constraints), ensure strong country ownership and consider political dimensions.[43]

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41 Haque, T. et al. 2017. Strengthening public financial management reforms in pacific island countries, World Bank. [online]. Available from: https://openknowledge.worldbank.org/bitstream/handle/10986/25070/Final0output.pdf?sequence=1&isAllowed=y.
42 *Ibid*, p. 51.
43 *Ibid.*

Enabling Environment

When determining which particular anti-corruption approach to put in place, PICs should consider whether the context of their country would likely be 'enabling' or 'disabling' of that approach. While there are a range of anti-corruption tools that can be used to prevent corruption, the determinants of the control of corruption are often of greater importance than the approaches themselves. Certain political, social and economic factors impact the control of corruption in a particular society. The success of any anti-corruption reform is therefore likely to be dependent on the environment. This includes the broader politico-legal institutional framework where governance and administration take place.[44]

In order to control corruption, anti-corruption measures should consider the balance between resources and constraints (the inner circle of factors), as well as the broader development context (the outer circle) generated by the interaction between structural factors (e.g. a country's environmental and geographic context, current level of violence, history of corruption and human development).[45] Conventional approaches based on political reforms and regulatory re-structuring can work better when complemented by efforts to inform citizens of their rights, and empower them to monitor and challenge abuses of the system. Such complementary efforts can include right to information and press freedom. Likewise, a strong civil society can provide an enabling environment for anti-corruption measures, as it can play a key role in monitoring and supporting the implementation of anti-corruption reforms. While political leadership is a necessary condition for advancing the anti-corruption agenda, safeguarding the space of civil society and the media to operate has also been deemed important.[46]

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44 Mungiu-Pippidi and Dadašov, *op.cit*., p. 387.
45 *Ibid*., p. 399.
46 Fjeldstad, O-H. & Isaken, J., 2008, Anti-corruption Reforms: Challenges, Effects and Limits of World Bank Support [online]. Available from: https://www.cmi.no/publications/3134-anti-corruption-reforms-challenges; Chêne, M., 2015. Successful anti-corruption reforms, Transparency International [online]. Available from: https://www.transparency.org/files/content/corruptionqas/Successful_anti-corruption_reforms.pdf.

Islands of integrity

Islands of integrity are commonly regarded as public institutions that reduce corruption despite being surrounded by endemic corruption.[47] While there is no formal definition of islands of integrity, generally they are:

- Self-contained areas that distinguish themselves from other public institutions in the same country in that they are corrupt-free and effective within corrupt and dysfunctional national contexts;
- Not focused on fighting corruption, but rather they have their own institutional mandate; and
- Fulfil their mandate of 'corruption-free' or with considerably lower levels of corruption compared to the rest of public institutions in the same context.[48]

Islands of integrity are said to be able to have an impact at three levels. One is the impact caused by their 'corruption-free' performance, the second is their impact in fulfilling their institutional purpose, and the third is their effect on the wider system.[49] Research on islands of integrity and documented empirical evidence on their impact in the broad context is very scarce. Moreover, their impact is context dependent and requires case-by-case analysis. For example, in Uganda, the Ugandan Health Monitoring Unit conducted unannounced investigations in health facilities to catch health workers exhibiting corrupt behaviour. This resulted in health workers becoming more cautious about asking for bribes out of fear of being publicly shamed and punished, which consequently led to a 50% reduction in bribery in Uganda's health sector, while in other sectors bribery rates increased.[50] Vanuatu's judiciary, notably its Supreme Court, is another example of a possible

47 Zuniga, N. 2018. The impact of 'islands of integrity'. U4 Anti-Corruption Resource Centre [online]. Available from: https://www.u4.no/publications/the-impact-of-islands-of-integrity.pdf, p. 2.
48 *Ibid*.
49 *Ibid*, p. 1.
50 Marquette, H. and Peiffer, C. 2018. 'Islands of Integrity?' Reductions in bribery in Uganda and South Africa and lessons for anti-corruption policy and practice. Developmental Leadership Program [online]. Available from: https://www.dlprog.org/publications/research-papers/islands-of-integrity-reductions-in-bribery-in-uganda-and-south-africa-and-lessons-for-anti-corruption-policy-and-practice.

island of integrity. The judiciary appeared to have created and upheld a reputation of impartiality, exemplified by its decisions on issues such as the legality of motions of no confidence.[51] This was further demonstrated by the conviction of 14 Members of Parliament for corrupt practices under the Penal Code Act, and the legality of the dissolution of Parliament by the Speaker that prevented the hearing of a motion of no confidence.[52]

51 Forsyth, 2015. Understanding Judicial Independence in Vanuatu. SSGM Discussion Paper, ANU [online]. Available from: https://openresearch-repository.anu.edu.au/bitstream/1885/34330/2/01_Forsyth_Understanding_Judicial_2015.pdf.
52 *Ibid*.

National Anti-Corruption Strategies

Good practice appears to be the establishment of a multi-faceted, whole-of-society approach to preventing and fighting corruption that is tailored to a country's context. Such an approach can include the development and implementation of a National Anti-Corruption Strategy (NACS). This aligns with UNCAC article 5 requiring States parties to adopt 'effective, coordinated anti-corruption policies'. NACS can be defined as comprehensive anti-corruption policy documents that coordinate national anti-corruption action.[53] They typically define a set of priority objectives with an action plan for implementation, as well as mechanisms to monitor that implementation, and will often cut across different sectors and involve different government institutions.

A key component of the Organisation for Economic Co-operation and Development's 2017 Recommendation on Public Integrity underscores the case for coherent and comprehensive integrity frameworks that adopt a whole-of-government and whole-of-society approach to fighting corruption.[54] This recommendation highlights how integrity policies should be mainstreamed throughout government in order to leverage complementary policies for integrity outcomes, and emphasizes the key role of non-governmental actors in implementing integrity strategies. The engagement of relevant stakeholders can contribute to a more relevant and effective integrity system.[55]

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53 UNDP. 2014. Anti-corruption strategies. Understanding what works, what doesn't and why? Lessons learned from the Asia-Pacific region, Bangkok, UNDP [online]. Available from: https://www.undp.org/content/undp/en/home/librarypage/democratic-governance/anti-corruption/Report.html, p. 11.
54 OECD. 2017. OECD Recommendation of the Council on Public Integrity [online]. Available from: http://www.oecd.org/gov/ethics/OECD-Recommendation-Public-Integrity.pdf.
55 *Ibid.*

Three PICs (Kiribati,[56] PNG[57] and the Solomon Islands[58]) have a NACS (see Figure 3), and other PICs (Federated States of Micronesia, Tuvalu and Vanuatu[59]) are in the process of developing them. Existing NACS in the Pacific have been long-term, ranging from three (e.g. Solomon Islands and Kiribati, noting the one-year extension) to twenty years (PNG), and their NACS were found to refer to UNCAC. PNG's NACS uses similar language to the UNCAC; it focuses on reducing corruption and enhancing 'good governance' in order to secure better development outcomes and comply with obligations established under UNCAC, and it also refers to the Millennium Development Goals (the predecessor to the SDGs).[60] Additionally, both Solomon Islands and Kiribati referred to the SDGs in their NACS; Solomon Islands NACS references SDG 16 in particular, and the Kiribati Government, through the Public Service Office, organized consultative workshops with Government entities and Anti-Corruption Committee members to better align the activities of the Kiribati's NACS with SDG 16, particularly with target indicators 16.3.2, 16.4, 16.5, 16.6, 16.7 and 16.10.[61] In addition, for both Kiribati and PNG, their NACS was found to be subsumed within a broader national development plan, with Kiribati's NACS being incorporated into Kiribati 20-Year Vision 2016-2036 (KV20) and PNG's NACS being incorporated into Vision 2050.[62]

FIGURE 3: Development of Pacific NACS

KIRIBATI

27 SEPTEMBER 2013
Acceded to the UNCAC

2014
First Review Cycle Kiribati underwent its first review cycle for the UNCAC

2017
Launched its NACS (2017-2019)

PAPUA NEW GUINEA

16 JULY 2007
Ratified the UNCAC

2010
Launched its NACS (2010-2030)

2014
First Review Cycle Papua New Guinea underwent its first review cycle for the UNCAC

SOLOMON ISLANDS

6 JANUARY 2012
Acceded to the UNCAC

2012
First Review Cycle
The **Solomon Islands** underwent its first review cycle for the UNCAC

2017
Launched its NACS and underwent its second review cycle for the UNCAC

56 Radio New Zealand. 2017. Kiribati Launches Anti-Corruption Strategy. RNZ. 19 September [online]. Available from: https://www.rnz.co.nz/international/pacific-news/339729/kiribati-launches-anti-corruption-strategy.

57 PNG Government. 2019. PNG EITI Annual Progress Report 2018 [online]. Available from: https://eiti.org/sites/default/files/documents/annual-progress-report-2018.pdf, pp. 49-50.

58 Solomon Islands Government. 2017. Solomon Islands National Anti-Corruption Strategy 2017 [online]. Available from: http://devpolicy.org/pdf/blog/Solomon-Islands-National-Anti-Corruption-Strategy-2017scanned.pdf.

59 Vanuatu's National Anti-Corruption Committee has been working with UN-PRAC to develop a NACS.

60 Government of Papua New Guinea, 2010. Papua New Guinea National Anti-Corruption Strategy 2010-2030, Building a Strong and Prosperous Papua New Guinea.

61 Government of Kiribati. 2018. Kiribati Voluntary National Review and Kiribati Development Plan Mid-Term Review [online]. Available from: https://sustainabledevelopment.un.org/content/documents/19049KIRIBATI_KDP_MidTerm_Review_and_VNR_Key_Messages_revised.pdf; Government of the Solomon Islands, 2017. Solomon Islands National Anti-Corruption Strategy 2017 [online]. Available from: https://devpolicy.org/pdf/blog/Solomon-Islands-National-Anti-Corruption-Strategy-2017scanned.pdf.
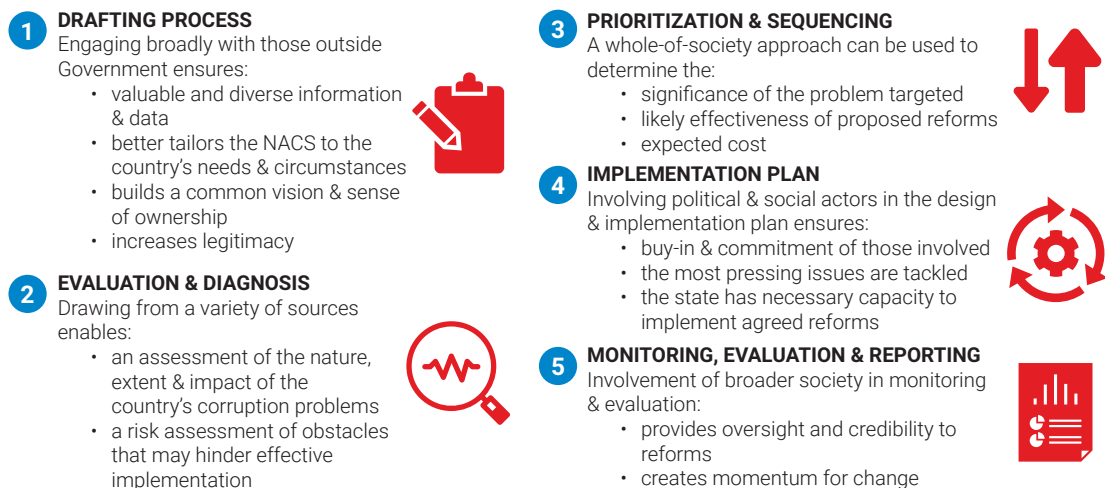
62 Government of Papua New Guinea, *op.cit*.; Government of Kiribati, *op.cit*.

Designing and implementing a NACS

Developing a strategy is a complex task. There is limited research on what constitutes effective corruption prevention, and almost none on the effectiveness of particular prevention strategies. Even though there is no single, correct approach to developing a NACS, there are common challenges and difficulties, as well as lessons to be learned from past successes and failures. Experience highlights that it is crucial for NACS to be realistic (i.e. avoiding being a 'wish list'), have high-level political support, provide for strengthening capacity for implementation, and include a strong monitoring and evaluation framework.[63] UNODC developed the 'National Anti-Corruption Strategies – A Practical Guide for Development and Implementation' (UNODC Guide).[64] This offers specific recommendations for countries that are considering drafting or revising a NACS, drawing on practical experiences of UNCAC States parties and focusing on how to engage all stakeholders in a meaningful and productive drafting process, which would culminate in a realistic, measurable and implementable Strategy. The Guide identifies five key aspects of an effective NACS: the drafting process; preliminary evaluation and diagnosis of corruption challenges; policy priorities and sequencing; implementation plan; and monitoring, evaluation and reporting (see Figure 4).

FIGURE 4: Whole-of-society approach for developing NACS

1 DRAFTING PROCESS
Engaging broadly with those outside Government ensures:
- valuable and diverse information & data
- better tailors the NACS to the country's needs & circumstances
- builds a common vision & sense of ownership
- increases legitimacy

2 EVALUATION & DIAGNOSIS
Drawing from a variety of sources enables:
- an assessment of the nature, extent & impact of the country's corruption problems
- a risk assessment of obstacles that may hinder effective implementation

3 PRIORITIZATION & SEQUENCING
A whole-of-society approach can be used to determine the:
- significance of the problem targeted
- likely effectiveness of proposed reforms
- expected cost

4 IMPLEMENTATION PLAN
Involving political & social actors in the design & implementation plan ensures:
- buy-in & commitment of those involved
- the most pressing issues are tackled
- the state has necessary capacity to implement agreed reforms

5 MONITORING, EVALUATION & REPORTING
Involvement of broader society in monitoring & evaluation:
- provides oversight and credibility to reforms
- creates momentum for change

63 United Nations Department of Economic and Social Affairs, *op.cit*., p.56.
64 UNODC, 2015. National Anti-Corruption Strategies – A Practical Guide for Development and Implementation [online]. Available from: https://www.unodc.org/documents/corruption/Publications/2015/National_Anti-Corruption_Strategies_-_A_Practical_Guide_for_Development_and_Implementation_E.pdf.

Drafting process

The UNODC Guide notes that a NACS is "not merely a technocratic document whose implementation depends on whether national leaders are sufficiently determined to do so"[65]. One purpose of developing and promulgating a NACS is to help generate and maintain the leadership, citizen demand and broad support necessary to act effectively against corruption. A Strategy document that simply identifies a set of policies will not advance these objectives. The document, as well as the processes for drafting it and for ensuring its implementation and revision, should create a sense of ownership and commitment among those both inside and outside government, and should establish targets and benchmarks that enable both domestic and foreign audiences to hold the government accountable to the goals it has set for itself.

For that reason, the drafting process of a country's NACS should find appropriate ways to engage broadly with those outside of the government, including civil society organizations, the business community, media, academics, the general public and other stakeholders. This is because such stakeholders may have valuable information and useful recommendations for crafting a more effective Strategy that is better tailored to the country's particular needs and circumstances, and the inclusion of a broad range of voices in the drafting process may help build a common vision and increase the legitimacy of the strategy, and hence political support for it, in the wider society. Those who feel that their voices were heard in the creation of a policy will give them a sense of 'ownership' of the Strategy, and are more likely to be allies in driving the Strategy forward and ensuring its effective implementation. Similarly, a transparent drafting process with an effective media and communications strategy encourages diverse input into the process, increases the legitimacy of the Strategy-drafting process, signals that the government is committed to fighting corruption and sustains interest in the drafting process.[66]

Evaluation and diagnosis

Experience has shown that the effectiveness of a NACS will depend to a large extent on whether it has been designed taking into consideration the country's context and main corruption challenges.[67] The UNODC Guide states that this preliminary diagnosis consists of two main elements: an assessment of the nature, extent and impact of the country's corruption problems; and a risk assessment of the obstacles that may hinder the implementation of effective anti-corruption reform.[68]

65 *Ibid.*
66 *Ibid*, pp. 3-4.
67 Martini, M., 2013. Examples of National Anti-Corruption Strategies. Transparency International [online]. Available from: https://www.transparency.org/whatwedo/answer/examples_of_national_anti_corruption_strategies.
68 UNODC, *op.cit.*, p.15.

Nature, extent and impact of corruption

Systematic and deep knowledge about corruption, its levels, main risk areas, attitudes of public officials and ordinary citizens, common practices in the public service and other aspects related to the problem of corruption are crucial for the design of effective anti-corruption policies. This will help to ensure that focused and practical action plans are in line with the country's main corruption problems.[69] The phenomenon of corruption can be complex, diffused and often hidden. Therefore, it is instrumental to have adequate data that is reliable and credible, meaning that it can be trusted. A variety of sources can be drawn upon in collecting this data, including but not limited to: the review process under UNCAC Review Mechanism; integrity and governance assessments such as by the World Bank and Transparency International; country-specific surveys; and data collected by different government agencies and/or non-State actors. When drafting a NACS, such information can be used in order to decide where and what kind of activities are needed. It also helps to ensure the correct prioritization and sequencing of actions, as well as effective monitoring and evaluation of the progress made.[70]

Some Pacific NACS contain an analysis of the corruption situation (e.g. PNG, the Solomon Islands), including the possible impacts of these different types of corruption on the economy and society. The Solomon Islands' NACS identifies four main causes of corruption: weak institutions; weak law enforcement; captured elites; and low trust in State institutions.[71] The NACS draws on data gathered by Transparency Solomon Islands and the World Bank. The provincial consultations also revealed recurring issues, namely: the opportunities for corruption in the procurement process; process for acquiring licenses to extract natural resources; low salaries and poor conditions of service; and cultural obligations (e.g. the expectation placed on public officials to contribute to community events).[72] PNG's NACS identifies the following: the use of bribery, theft of public money and illegal acquisition of assets through the abuse of power; non-compliance with finance and auditing laws; nepotism; conflicts of interest; misappropriation; and maladministration.[73] PNG's NACS also identifies private sector corruption as a major challenge, including in natural resource extraction. Under PNG's Key Action Area, 'Compliance and Enforcement', the need to "review existing legislation to ensure relevant legal

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69 According to UNCAC article 61(1): "[e]ach State Party shall consider analysing, in consultation with experts, trends in corruption in its territory, as well as the circumstances in which corruption offences are committed". Moreover, article 60(4) requires that States Parties "consider assisting one another, upon request, in conducting evaluations, studies and research relating to the types, causes, effects and costs of corruption in their respective countries, with a view to developing, with the participation of competent authorities and society, strategies and action plans to combat corruption". United Nations Convention Against Corruption, *op.cit.*

70 Martini, *op.cit.*

71 Government of the Solomon Islands, *op.cit.*

72 *Ibid.*

73 Government of Papua New Guinea, *op.cit.*

instrument are in place to support …PNG's UNCAC obligations"[74] is highlighted. Strengthening international cooperation is also mentioned in the Strategy, as well as the coordination of anti-corruption mechanisms domestically at the national, provincial and local levels.

Obstacles to anti-corruption reform

The second step when conducting a preliminary diagnosis is to identify the most important obstacles to adopting and implementing the necessary reforms. A NACS should have a realistic assessment of resources available to support its implementation, and identify what groups are most likely to support the Strategy and what groups are most likely to resist it. Once these groups have been identified, the Strategy can be designed to overcome such obstacles. For example, the NACS may phase in controversial changes slowly, while implementing popular ones more quickly.[75]

Priorities and sequencing of reforms

Strategy drafters have the challenge of striking a balance between ambition and realism. On the one hand, a NACS that is too cautious and limited, such as one that proposes only easy-to-achieve policy changes, may not address a country's most pressing corruption concerns, and will therefore not generate the focus and pressure needed to make significant progress in preventing and combating corruption. On the other hand, an overly ambitious Strategy, with grand objectives that are not feasible given the country's resources and capacity, may be ignored or dismissed as impractical, and might further contribute to a sense of frustration and resignation among citizens. Reforms that respond to scandals and specific political crises, and are not anchored on long-term goals and strategies, tend to become ineffective, as the pressures reduce over time and the commitment from the government wanes. One important consideration for Strategy drafters is to identify the areas of highest priority and the sequence in which a country should attempt to implement various reforms or address aspects of the corruption problem. Three factors are relevant to this assessment: the significance of the problem targeted; the likely effectiveness of the proposed policy reforms in reducing the problem; and the expected cost of the proposed reform.[76]

All Pacific NACS are broadly similar in their priorities. Strategic entry points across the NACS include corruption prevention, law enforcement, public education and awareness-raising, and wide collaboration with the private sector and civil society. Each NACS emphasizes capacity-

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74 *Ibid.*
75 UNODC, *op.cit.*, p. 25.
76 *Ibid.*

building across the public sector and among specialized anti-corruption agencies, such as those agencies tasked with investigative and prosecutorial functions. PNG's NACS identifies key action areas and actions to be taken under each action area. While both Kiribati and the Solomon Island's NACS outline an action plan with dates for implementation, but no sequencing of priorities is expressly mentioned.

Implementation plan

The successful implementation of a NACS will depend to a great extent on credible and committed leadership that demonstrates continued political will.[77] The involvement of political and social actors, including civil society groups in the design as well as the implementation of NACS is important not only to ensure the buy-in and commitment of those involved, but also to guarantee that the most pressing issues are addressed and that the State has the necessary capacity to implement the agreed upon reforms and activities.[78]

In some cases, countries will use include an action plan in their NACS to detail how they will implement their Strategies. For example, Kiribati and the Solomon Islands both incorporated action plans into their NACS, and provided a timeline for the implementation of these plans, with Kiribati even indicating responsible agencies for each action item. PNG's NACS is to be implemented by all actors and stakeholders, and envisaged the development of more detailed implementation plans set on a shorter timeframe, detailing specific results and their targets, specific measures or activities to adopt, the body responsible, resources required and timeframe for implementation. This is to be coupled with associated performance indicators to monitor progress.[79]

Some PICS have also successfully used their NACS to implement various anti-corruption initiatives. Kiribati recently launched initiatives which focused on strengthening public finance management and fostering the integrity and independence of institutions whose mandate it is to promote good governance and eliminate corruption (including through development of an anti-corruption code of conduct and its integration through the Public Service Act).[80] This also included the establishment of an Anti-Corruption Committee with an oversight role to be executed in cooperation with the select agencies and in engagement with civil society.[81] The

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77 Martini, *op.cit*.; Hussman and Hechler, *op.cit*.
78 Martini, *op.cit*.
79 Government of Papua New Guinea, *op.cit*.
80 International Monetary Fund. 2019. Kiribati: 2018 Article IV Consultation [online]. Available from: https://www.imf.org/en/Publications/CR/Issues/2019/01/24/Kiribati-2018-Article-IV-Consultation-Press-Release-Staff-Report-and-Statement-by-the-46546.
81 *Ibid*.

Solomon Islands also successfully passed the Anti-Corruption Act 2018 as part of its NACS, [82] which established the Solomon Islands Independent Commission Against Corruption (SIICAC).[83] The recent Transparency and Accountability for People of Solomon Islands (TAP) Project, a spin-off of the UN-PRAC Project and co-financed by the Government of the Solomon Islands and UNDP, is aligned with Solomon Islands' NACS. The TAP Project supports institutional efforts to reduce corruption and develop effective, accountable and transparent institutions at all levels to ensure effective and timely achievement of national development outcomes.[84]

Monitoring, evaluation and reporting

Finally, the establishment of a strong monitoring and evaluation framework is instrumental not only in assessing progress in the implementation of the NACS, but also in identifying possible adjustments that should be made throughout the implementation cycle.[85] The importance of monitoring, evaluation and reporting are outlined in the Kuala Lumpur Statement on Anti-Corruption Strategies (see Box 3 below).

Box 3: Monitoring and Evaluation: the Kuala Lumpur Recommendations

Monitoring and evaluation are critical to the success of a NACS. The Kuala Lumpur Statement on Anti-Corruption Strategies contains six separate recommendations addressing their inclusion and use in national Strategies. These are:

(a) Make monitoring, evaluation and reporting an integral part of the Strategy by incorporating them at the design phase;

(b) Develop clear measures for monitoring progress and establish baselines for comparing changes over time;

(c) Ensure that reliable data for each measure are available;

(d) Report regularly on the monitoring and evaluation data;

(e) Ensure that clear lines of responsibility exist for monitoring, evaluating and reporting; and

(f) Be sure the agency or agency assigned to monitor, evaluate and report on the strategy has sufficient resources to meet those responsibilities.[86]

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82 Government of Solomon Islands, *op.cit.*

83 Anti-Corruption Act 2018 (Solomon Islands), s. 7.

84 Pacific Office in Fiji. 2019. Transparency and Accountability for People of Solomon Islands Project [online]. Available from: https://www.pacific.undp.org/content/pacific/en/home/about-us/soi-office/effectivegovernance/tap-soi-project.html.

85 UNODC, 2004, UN Guide for anti-corruption policies. Global Programme against Corruption [online]. Available from: https://www.unodc.org/documents/corruption/Toolkit_ed2.pdf.

86 UNODC, 2013. Kuala Lumpur Statement on Anti-Corruption Strategies [online]. Available from: https://www.unodc.org/documents/southeastasiaandpacific/2013/10/corruption/Kuala_Lumpur_Statement_on_Anti-Corruption_Strategies_Final_21-22_October_2013.pdf.

The NACS could also include a strong and manageable monitoring and evaluation system that provides for the participation of civil society organizations and other external stakeholders.[87] The involvement of non-State actors could both give credibility to a monitoring and evaluation system, and exercise pressure for change where the results of the evaluation suggest more action is required.

Reporting on the implementation of the NACS and on the findings contained in the monitoring and evaluation reports is an important element of the overall accountability mechanism that should be built into every Strategy.[88] Reporting the results of monitoring and evaluation helps maintain support for the Strategy by keeping stakeholders abreast of progress and by holding government accountable for the Strategy results.

Although monitoring and evaluation is envisaged by the existing NACS in the Pacific, a major obstacle to the success of NACS in many countries has been the absence of tangible benchmarks and tracking mechanisms to determine whether targets have been achieved.[89]

National Anti-Corruption Committees

Existing Pacific NACS are supported by Anti-Corruption Committees, namely coordinating mechanisms to ensure the implementation of the Strategies, but these Committees are often mandated to focus on national anti-corruption efforts also more broadly (see Table 1). They can bring together a range of government bodies, independent integrity institutions and non-State actors working on corruption. For example, Solomon Islands committed to developing a NACS in 2015, and to that end, set up a multi-stakeholder NACS Steering Committee, comprising members of the public sector, civil society and the private sector.[90] The NACS Steering Committee implemented a highly consultative process that included undertaking provincial consultations to gather feedback from the grassroots.[91] When the final NACS was launched in 2017, its cover page specifically recognized the critical importance of a multi-stakeholder approach to addressing corruption (see Figure 5) and the Prime Minister's Preamble specifically stated, "the 'war' against corruption must always be a business for everyone in Government, the private sector and civil society. Government has considered it important therefore that the NACS's implementation is steered and guided by a Steering Committee comprising of representatives from the Solomon Islands Chamber of Commerce and Industries; Development Services

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87 Martini, *op.cit.*.
88 UNODC, *op.cit*.
89 UNDP, *op.cit*.
90 Solomon Islands Government. 2017. Solomon Islands National Anti-Corruption Strategy 2017. [online]. Available from: http://devpolicy.org/pdf/blog/Solomon-Islands-National-Anti-Corruption-Strategy-2017scanned.pdf.
91 *Ibid*., pp. 6-7.

Exchange (the umbrella NGO); Government and development partners when appropriate. This will ownership of the NACS by all"[92].

Vanuatu also established the National Anti-Corruption Committee, endorsed by Parliamentary Order No. 166 of 2016. The Committee comprises of Government officials (e.g. from the Office of the Prime Minister, Ministry of Justice and Community Services, Ministry of Foreign Affairs, Ministry of Finance and Economic Management, Office of the Public Prosecutor, Police, Office of the Ombudsman, Office of the Government Chief Information Officer, Financial Intelligence Unit, Public Service Commission and the Vanuatu Law Commission) and non-State actor representatives (e.g. Malvatumari Council of Chiefs, Vanuatu Association of Non-Government Organisations, Media Association of Vanuatu, Vanuatu Christian Council, Transparency International Vanuatu, Chamber of Commerce and Industry, and the Reserve Bank of Fiji).[93] The Committee has been working to develop a NACS for Vanuatu, with support from the UN-PRAC Project. As also noted above, Kiribati established an Anti-Corruption Committee. This includes Government bodies, civil society, church groups and Parliamentarians, and it was mandated to develop the NACS.[94]

FIGURE 5: Figure 5: Solomon Islands NACS cover page

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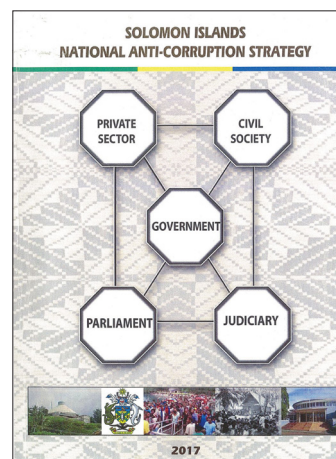
92 *Ibid.*, p. 1.
93 UN-PRAC. 2017. UN-PRAC Newsletter (Jan-2017). January. [online]. Available from: https://tivnews.files.wordpress.com/2017/02/jan-2017-newsletter.pdf.
94 *Ibid*

Integrity institutions

While UNCAC article 6 requires States parties to ensure the existence of a preventive anti-corruption body or bodies, article 36 focuses on specialized authorities, notably the existence of a body or bodies or persons specialized in combating corruption through law enforcement. While UNCAC recognizes the need for implementation to be tailored to a country's specific context, the Convention provides a framework, such a body or bodies or persons to be granted the necessary independence to carry out its or their functions effectively and free from any undue influence.[95] The Jakarta Principles for Anti-Corruption Agencies were developed in 2012 by a group of experts, including heads of Independent Commissions Against Corruption (ICACs) to help guide how the independence and effectiveness of Anti-Corruption Agencies could be ensured (see Box 4).

Box 4: The Jakarta Principles for Anti-Corruption Agencies to Ensure the Independence and Effectiveness of Anti-Corruption Agencies (ACAs)[96]

- **Mandate:** ACAs shall have clear mandates to tackle corruption through prevention, education, awareness raising, investigation and prosecution, either through one agency or multiple coordinated agencies;
- **Collaboration:** ACAs shall not operate in isolation. They shall foster good working relations with state agencies, civil society, the private sector and other stakeholders, including international cooperation;
- **Permanence:** ACAs shall, in accordance with the basic legal principles of their countries, be established by proper and stable legal framework, such as the Constitution or a special law to ensure continuity of the ACA;
- **Appointment:** ACA heads shall be appointed through a process that ensures his or her apolitical stance, impartiality, neutrality, integrity and competence;
- **Continuity:** In the event of suspension, dismissal, resignation, retirement or end of tenure, all powers of the ACA head shall be delegated by law to an appropriate official in the ACA within a reasonable period of time until the appointment of the new ACA head;

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95 United Nations Convention Against Corruption, *op.cit*.
96 UNODC. 2012. Jakarta Principles for Anti-Corruption Agencies [online]. Available from: https://www.unodc.org/documents/corruption/WG-Prevention/Art_6_Preventive_anti-corruption_bodies/JAKARTA_STATEMENT_en.pdf.

- **Removal:** ACA heads shall have security of tenure and shall be removed only through a legally established procedure equivalent to the procedure for the removal of a key independent authority specially protected by law (such as the Chief Justice);
- **Ethical Conduct:** ACAs shall adopt codes of conduct requiring the highest standards of ethical conduct from their staff and a strong compliance regime;
- **Immunity:** ACA heads and employees shall have immunity from civil and criminal proceedings for acts committed within the performance of their mandate. ACA heads and employees shall be protected from malicious civil and criminal proceedings.
- **Remuneration:** ACA employees shall be remunerated at a level that would allow for the employment of sufficient number of qualified staff;
- **Authority over human resources:** ACAs shall have the power to recruit and dismiss their own staff according to internal clear and transparent procedures;
- **Adequate and Reliable Resources:** ACAs shall have sufficient financial resources to carry out their tasks, taking into account the country's budgetary resources, population size and land area. ACAs shall be entitled to timely, planned, reliable and adequate resources for the gradual capacity development and improvement of the ACA's operations and fulfillment of the ACA's mandate;
- **Financial Autonomy:** ACAs shall receive a budgetary allocation over which ACAs have full management and control without prejudice to the appropriate accounting standards and auditing requirements;
- **Internal Accountability:** ACAs shall develop and establish clear rules and standard operating procedures, including monitoring and disciplinary mechanisms, to minimize any misconduct and abuse of power by ACAs;
- **External Accountability:** ACAs shall strictly adhere to the rule of law and be accountable to mechanisms established to prevent any abuse of power;
- **Public Reporting:** ACAs shall formally report at least annually on their activities to the public.
- **Public Communication and Engagement:** ACAs shall communicate and engage with the public regularly in order to ensure public confidence in its independence, fairness and effectiveness.

There is no global standard for an ideal ICAC and the effectiveness of many ICACs is inhibited by limited resources, insufficient mandate to fight corruption, and political interference from governments. Indeed, some scholars have found no significant improvement in averaged corruption risk estimates after the introduction of an ICAC.[97] Successful models such as Singapore's Corrupt Practices Investigation Bureau and the Hong Kong ICAC have not been easily replicated in other contexts, and few ICACs have been deemed to have been effective.[98] In addition to what is illustrated above under the Jakarta Principles, studies suggest that to be successful, ICACs require strong internal controls and accountability mechanisms, alliances

97 Mungiu-Pippidi and Dadašov, *op.cit.*
98 UNDP. 2005. Institutional arrangement to combat corruption. A comparative study, Bangkok, UNDP [online]. Available from: https://www.un.org/ruleoflaw/blog/document/institutional-arrangements-to-combat-corruption-a-comparative-study/.

with government and non-government actors, and a focus on preventive and educational efforts in hostile political environments.[99] Their effectiveness often relies on widespread public support and sustained political engagement to support their activities in the long-term.[100] Further, like anti-corruption tools, ICACs do not operate in a vacuum, and their effectiveness depends on whether they are able to function in an 'enabling environment' or an unfavourable policy context is fraught with obstacles that hinder their effective implementation of anti-corruption measures. PICs have established a range of integrity institutions, including an ICAC in Fiji and the Solomon Islands (while PNG has flagged that it will table ICAC legislation in early 2020, as it has already unanimously voted to amend the Constitution to allow for an ICAC to be established, and Tonga has also legislated to establish an ICAC), Leadership Code Commissions, Ombudsmen and Audit Offices. These institutions have a diverse range of mandates, including public education and awareness-raising, monitoring, complaints handing, corruption investigations and enforcement. Fiji established the Fiji Independent Commission against Corruption (FICAC) in 2007. FICAC has the mandate to spearhead the fight against corruption in Fiji and the promotion of integrity, accountability and transparency. FICAC was set up to investigate and prosecute corruption and bribery cases, to guide the Government's anti-corruption efforts, and to raise awareness and educate citizens. The Solomon Islands' Anti-Corruption Act 2018 provides for the establishment of the Solomon Islands Independent Commission Against Corruption (SIICAC), which will have the power to prevent, investigate and prosecute corruption offences.[101]

99 DFID. 2015. Why corruption matters: understanding causes, effects and how to address them, Evidence paper on corruption, London [online]. Available from: https://www.researchgate.net/publication/315052549_Why_corruption_matters_understanding_causes_effects_and_how_to_address_them_DFID_Evidence_Paper_London_DFID_February_2015.
100 Kohn, K. 2013, Anti-Corruption Agency Case Studies, Marron Institute of Urban Management, NYU [online]. Available from: https://marroninstitute.nyu.edu/blog/anti-corruption-agency-case-studies.
101 Anti-Corruption Act 2018 (Solomon Islands), ss. 7-8.

Conclusion

Adopting a whole-of-society approach enables a State to address corruption in a holistic manner, also taking into consideration not only national but also the Pacific's regional concerns and priorities, such as the Boe Declaration on Regional Security. One such step can be through the establishment of a NACS and National Coordinating Committee. Similarly, establishing transparent, accountable and inclusive national integrity institutions will bring the Pacific closer to achieving UNCAC and SDG 16, as well as facilitating the broader implementation of the other SDGs. Doing so in an inclusive and transparent manner is likely to ensure buy-in from stakeholders, including non-State actors, and enable governments to draw on the wider community to support their national anti-corruption efforts.