PROVISION OF TECHNICAL ASSISTANCE BY G20 ANTI-CORRUPTION WORKING GROUP COUNTRIES

INFORMATION PROVIDED BY UNITED STATES OF AMERICA

The 2017-2018 G20 Anti-Corruption Implementation Plan recognizes that, through provision of technical assistance[1], G20 countries can assist other countries in becoming States Party to, and effectively implementing, relevant international instruments such as the United Nations Convention Against Corruption (UNCAC).

1. National anti-corruption programmes/tools that could be shared with other countries:

Executive Order 13642: Making Open and Machine Readable the New Default for Government Information

In 2013, the White House Office of Management and Budget (OMB) issued guidance on Open Data Policy (M-13-13: Managing Data as an Asset) as required under Executive Order 13642 -- Making Open and Machine Readable the New Default for Government Information. This Policy made all U.S. government data open and machine readable by default. These data are now easily accessible at Data.gov, which hosts almost 200,000 data sets and continues to grow rapidly. Here, federal agencies and the public are able to easily access and use newly opened data sets. Users can find government data on topics ranging from agriculture, to manufacturing, to public safety. Data.gov also regularly published evaluations of how each federal agency is doing implementing the Open Data Policy.

Freedom of Information Act (FOIA)

The Freedom of Information Act (FOIA) has provided the public the right to request access to records from any federal agency. Federal agencies are required to disclose any information requested under the FOIA unless it falls under one of nine exemptions which protect interests such as personal privacy, national security, and law enforcement. The United States is currently in the process of implementing several new policies to improve FOIA's transparency. For example, OGE's FOIA Office has implemented a "Release to One, Release to All" proactive posting policy. Under this policy, OGE posts on its FOIA Processed Records page virtually all records it releases in response to FOIA requests, subject to limited posting exclusions.

FOIA.gov serves as the government's comprehensive FOIA website for all information on the Act. Among many other features, FOIA.gov provides a central resource for the public to understand the FOIA, to locate records that are already available online, and to learn how to make a request for information that is not yet publicly available. FOIA.gov also promotes agency

accountability for the administration of the FOIA by graphically displaying the detailed statistics contained in Annual FOIA Reports, so that they can be compared by agency and over time.

Department of State's Guide to Anticorruption Policy and Programming and the Foreign Service Institute's New Approaches to Addressing Corruption training course ⬈

Published in 2015 by the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL), the *INL Guide to Anticorruption Policy and Programming* offers technical guidance associated with INL-supported anticorruption assistance and reform in partner countries. This public guide strengthens the ability of State Department personnel to design effective anticorruption policies and programming. It provides a framework through which to assess anticorruption challenges and needs in an environment and then use this information to design sound interventions.

The *Guide* features prominently in the *New Approaches to Addressing Corruption* training course offered by the State Department's Foreign Service Institute. This twice-yearly course trains State Department officers and other government employees on various strategies to combat corruption internationally. Sessions include how to leverage international treaties and standards, how to collaborate with civil society and the private sector, and how to implement an impactful anticorruption technical assistance program.

The U.S. Agency for International Development's Practitioners Guide for Anticorruption Programming ⬈

The U.S. Agency for International Development's (USAID) *Practitioners Guide for Anticorruption Programming* reflects lessons gleaned from more than 300 USAID anticorruption programs, and offers practical programming and implementation advice for USAID staff and field missions to support their development of effective anticorruption programs. The Guide, which is publicly available, provides myriad programming possibilities, country experiences, and a host of additional resources to assist USAID officers. It also offers examples, tips, advice and illustrative approaches based on the few systematic and comparative studies of anticorruption program performance that have been conducted over the past decade and on a retrospective study of past USAID anticorruption programs.

USAID has also published an *Anti-Corruption Assessment Handbook*, which provides USAID Missions and their implementing partners with an integrated framework and practical tools to conduct tailored anticorruption assessments efficiently and at a level sufficiently detailed to produce targeted and prioritized recommendations for programming. The framework is guided by international best practice, theory, and research, as well as the results of pilot assessments that tested earlier versions of the methodology. By offering a common approach by which the dynamics of corruption can be understood and assessed, USAID believes that anticorruption strategies can be improved and programs made more effective and appropriate to different country conditions.

- 👨‍🏫 Legislative assistance
- 🏛️ Institution-building
- ⚖️ Policymaking
- 🏭 Capacity building
- 🔍 Research/data-gathering and analysis
- 🌐 Facilitation of international cooperation with other countries

2. Existing anti-corruption technical assistance programmes

The U.S. Agency for International Development's Center of Excellence on Democracy, Human Rights, and Governance 🔗

USAID's Center of Excellence on Democracy, Human Rights, and Governance (DRG Center) serves as the hub of USAID's global DRG work, and works with over 90 field missions worldwide in the design of new DRG strategies and field assessments. USAID's DRG programs around the world, co-designed by the DRG Center and missions and managed by USAID country teams, are aimed at supporting effective, transparent and accountable public institutions; protecting and promoting human rights and rule of law; empowering civil society reformers to participate and engage in governance and to hold governments to account; ensuring free and fair elections, and advancing inclusive and participatory democracy.

Fighting corruption remains a priority element of USAID's DRG work through missions around the world. This work focuses primarily on proactive prevention, by supporting the political will and legal/regulatory framework within countries to combat corruption; strengthening institutions to prevent corruption; leveraging multilateral norms, standards, and initiatives aimed at promoting good governance and fighting corruption; and empowering civil society reformers to engage with government and push for accountability. This lays the groundwork for the success of country-level and USG enforcement efforts.

Many of USAID's programs help partner governments streamline key government functions to make them more efficient and transparent, less susceptible to corruption, and more conducive to private sector development. For example, USAID has created public financial management (PFM) systems that track how public funds are used or misused. In several countries, USAID has also supported web-based monitoring systems for public asset declarations and e-procurement and expenditure management/fiscal transparency platforms.

Additionally, USAID programs support multistakeholder partnerships that guide governments to adhere to international transparency standards, including the Open Government Partnership (OGP), the Extractive Industries Transparency Initiative (EITI), and the International Budget Partnership (IBP). USAID civic education or information campaigns encourage countries to raise ethical standards and reduce social tolerance for corrupt practices and adopt stronger, enforceable codes of conduct for public sector employees. In at least 16 countries, USAID is supporting EITI-

related disclosure of government revenue to enhance transparency and minimize supply chain risks to businesses, including money laundering and terrorist financing.

USAID programs also strengthen the capacity of civil society actors to combat corruption. DRG programs have trained investigative journalists and supported high profile, high-impact reporting on corruption. In Ukraine, for example, where USAID helped train more than 700 journalists in effective investigative journalism, 11,000 corruption stories published or broadcast quarterly led to a 64 percent increase in official investigations and a 46 percent increase in administrative sanctions.

In addition to supporting program design, the DRG Center commissions and sponsors cutting edge research on key DRG topics - including corruption - through a vibrant network of academic partners and implementing organizations. This research informs program and strategy design, and informs overall learning for the sector.

POTENTIAL OUTREACH:	☑ Global
	☑ Regional
	☑ Bilateral
	☑ Multilateral
INSTITUTIONAL FRAMEWORK[3]:	USAID is responsible for implementing program.

State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL) ↗

INL combats corruption by helping governments and civil society build transparent and accountable public institutions. Through bilateral and multilateral programs in over 90 countries around the world, INL supports efforts to build the technical capacity for institutions, law enforcement officials, and non-government organizations responsible for combatting and preventing corruption. For example, INL supported the Ukrainian Ministry of Interior to recruit, vet, and train 7,000 new patrol police, restoring citizens' trust in their police force. In Nigeria, INL has provided hands-on mentoring to investigators and prosecutors going after the country's most corrupt officials. INL also works with regional and international bodies to bring law enforcement officials together to strengthen cross-border collaboration on cases, compare notes on good practices, and build capacity to manage complex corruption cases.

POTENTIAL OUTREACH:	☑ Global
	☑ Regional
	☑ Bilateral
	☑ Multilateral
CONTACT INFORMATION:	Anti-Corruption@state.gov
INSTITUTIONAL FRAMEWORK[3]:	INL is responsible for implementing its anticorruption programming.

The Global Anti-Corruption Consortium

In December 2016, the State Department and USAID launched the Global Anti-Corruption Consortium (GACC) supports international efforts to expose corruption, raise public awareness, and facilitate action by government, law enforcement, and multilateral organizations. The GACC expands the quality and scope of civil society investigations and reporting by mentoring investigative journalists and facilitating collaboration among anticorruption civil society actors. Through the GACC, the United States provides journalists and civil society activists with in-depth, continuous technical assistance through 'training by doing' mentorships that expand the quality and scope of investigations, media reporting, and advocacy initiatives.

POTENTIAL OUTREACH:	☑ Global
	☑ Regional
INSTITUTIONAL FRAMEWORK[3]:	The Department of State is responsible for implementing this program. Other country donors also support the program.

State Department/USAID Fiscal Transparency Innovation Fund ⤴

Established in 2012, the Fiscal Transparency Innovation Fund (FTIF) provides grants to build technical capacity in governments that show the will to improve their fiscal transparency and to build capacity of civil society to press for, analyze, and monitor government finances. The FTIF complements and supports our broader anticorruption and transparency priorities.). FTIF is co-managed by the Department of State's Office of Monetary Affairs (OMA) and USAID's Bureau for Economic Growth, Education, and Environment (E3). OMA and E3 periodically ask U.S. embassies to submit project proposals for FTIF funding consideration. To date, there are 47 projects in 35 countries.

POTENTIAL OUTREACH:	☑ Bilateral
CONTACT INFORMATION:	EEB-Fiscaltransparen@state.gov
INSTITUTIONAL FRAMEWORK[3]:	The FTIF is implemented by the State Department and USAID.

Department of Justice's Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) Resident and Intermittent Legal Advisor Program ⤴

OPDAT's Resident and Intermittent Legal Advisor Program places experienced U.S. prosecutors

in U.S. embassies to help strengthen host country criminal justice institutions and procedures. This support includes drafting, reviewing and commenting on legislation and criminal enforcement policy. It also includes providing technical assistance to host country prosecutors, judges, and other justice sector personnel working in the field to strengthen their capacities to combat complex transnational crimes, such as terrorism, money laundering and financial crimes, and corruption.

| POTENTIAL OUTREACH: | ☑ Regional |
| | ☑ Bilateral |

| INSTITUTIONAL FRAMEWORK[3]: | The Department of State manages this foreign assistance program working in collaboration with the Department of Justice. |

U.S. Office of Government Ethics (OGE) ↗

The U.S. Office of Government Ethics (OGE) is responsible for providing overall leadership and oversight of the executive branch ethics program, which is designed to prevent and resolve conflicts of interest. Through OGE's international outreach and assistance program and in coordination with the State Department and other foreign policy agencies, OGE's international activities focus on three areas: participation and assistance in multilateral activities and fora; supporting the State Department in bilateral engagements regarding anticorruption prevention; and technical assistance briefings. OGE discusses its role as a corruption prevention organization and shares its ideas and experiences with foreign governments bilaterally, as well as within multilateral organizations such as the United Nations. OGE consults with bilateral partners in three areas: written, enforceable ethics standards, including codes or standards of conduct; personal financial disclosure as a means to identify and remedy potential conflicts of interest; ethics education and counseling; and the role of ethics officials within a decentralized ethics program. OGE also provides technical assistance through its International Technical Assistance Briefing Program. Each year OGE provides approximately 25 briefings to foreign visitor delegations, including delegations who participate in the State Department's International Visitor Leadership Program (IVLP). The delegations are composed of representatives from the public sector and the private sector, including business, press, civil society, and academia. During the briefings, representatives from OGE provide the visitors with information about OGE and the executive branch ethics program and engage in discussion regarding government ethics.

| POTENTIAL OUTREACH: | ☑ Bilateral |
| | ☑ Multilateral |

| INSTITUTIONAL FRAMEWORK[3]: | The Office of Government Ethics is responsible for implementing this program. |

Treasury Department's Office of Technical Assistance ⬀

For over twenty-five years, Treasury's Office of Technical Assistance (OTA) has helped many countries develop and implement market-based financial policies and management practices that support growing economies and stable democracies. Though OTA focuses on the public sector, the benefits of improved public financial management serve the wider community: citizens; private enterprise; and other interests in the economy at large. A government that manages the public purse with integrity and effectiveness not only delivers essential services better, it also builds credibility with its citizens and the international community.

OTA provides financial sector assistance in five core disciplines: revenue policy and administration, budget and financial accountability, government debt and infrastructure finance, banking and financial services, and economic crimes. In addition, OTA engages in related areas requiring cross-disciplinary collaboration, such as financial inclusion, IT system development, and auditing. OTA's cadre of highly experienced technical advisors work side-by-side with counterparts in finance ministries, central banks, tax departments and other public sector financial institutions, typically for a period of several years. Assistance may be provided on a sustained basis by resident advisors, or by intermittent advisors who travel overseas for short term assignments.

OTA's **Economic Crimes Team (ECT)** supports the establishment of institutions and regimes to combat economic crimes, including money laundering and terrorist financing. This broad mission and corresponding systemic approach to technical assistance entails building working relationships with a cross-section of counterpart stakeholders. ECT partners with foreign counterpart regulatory, analytical, law enforcement, and judicial authorities tasked in their country with ensuring a safe, sound and transparent financial system; targeting transnational criminal organizations and networks, including their illicit proceeds; and upholding the rule of law.

POTENTIAL OUTREACH:	☑ Regional
	☑ Bilateral
INSTITUTIONAL FRAMEWORK[3]:	The Department of the Treasury is responsible for implementing OTA assistance projects.

3. Recent technical assistance provided

Department of State, Bureau of International Narcotics and Law Enforcement Affairs: Strengthening Judicial System and Raising Protection of Citizens' Rights in Uzbekistan Program

This program has been working with government judicial and legislative officials since early 2014 and has held numerous public forums to discuss the issue. Since 2014, engagement with government has accelerated dramatically, and these efforts contributed to the government's

decision in 2016 to propose comprehensive legislation to address corruption. In October 2016, the interim president issued a presidential decree on judicial reforms and proposed a draft anticorruption legislation which passed the parliamentary process in December 2016, immediately following the extraordinary presidential elections.

Department of State, Bureau of International Narcotics and Law Enforcement Affairs: Afghanistan Justice Sector Support Program (JSSP)

INL's Justice Sector Support Program (JSSP) has implemented the Afghanistan Case Management System (CMS) – an electronic case tracking database – in coordination with eight justice sector institutions. CMS is being utilized nationwide, with 549 CMS offices located throughout the country. To date, over 350,000 criminal cases and over 15,000 civil cases have been entered into the CMS database. The database assists in combating corruption by increasing transparency throughout all stages of a case, providing information to all parties, and increasing cooperation and coordination amongst justice sector entities. JSSP has also trained and mentored criminal justice officials to increase transparency, accountability, and efficiency throughout their organizations by developing stronger controls over budgeting, procurement, and hiring procedures. JSSP has continued years of quiet work building Afghanistan's justice sector institution's policies, procedures, and professional staff as a bulwark against corruption, often in dangerous and difficult conditions.

Department of State, Bureau of International Narcotics and Law Enforcement Affairs/Department of Justice, International Criminal Investigative Training Assistance Program (ICITAP)

In Montenegro, INL supported ICITAP to assist in the formation of an office for a Special Prosecutor to Combat Organized Crime and Corruption, along with a special Joint Investigative Team to work for that prosecutor. This JIT then evolved into a permanent Special Police Team of 20 investigators to combat organized crime and corruption. This team is mentored and supported with training by a full-time ICITAP adviser. In partnership with INL, ICITAP has provided extensive training to the prosecutor and the police teams, resulting in arrests of many highly ranked politicians and the seizure of millions of Euros in illicit assets.

ICITAP has been helping the total reorganization of the National Police Directorate, and recently completed a "pilot project" to establish a uniform patrol division, with duties similar to patrol units in the United States, in the capitol city of Podgorica. This project is being successfully implemented, and the Montenegron government has requested the participation of ICITAP in the planning of program expansion throughout Montenegro. . This initiative stresses the importance of community/problem oriented policing, pro-active patrols, and a "protect and serve" environment.

USAID supports the Government of Guatemala and civil society efforts to achieve greater security and justice for the country's citizens and works to improve the effectiveness and efficiency of institutions that work on security and justice issues. As part of these efforts, USAID supported the establishment in 2015 of a new Specialized Prosecutor's Office Against Corruption, working with the institution to develop new models for case management and investigation. The new Prosecutor's Office has already opened several high-profile cases targeting mayors, municipal officials, officials within the tax authorities, and police. Strengthening this prosecutor's office complements CICIG's initiatives in Guatemala. Thanks to this support, the Specialized Prosecutors' Offices for Extortion and Anti-Corruption support implemented new investigation and case management models resulting in 19 key arrests for corruption and more than 100 for extortion between 2015 and 2016.

4. Challenges and gaps in providing technical assistance

- The United States is constantly looking for ways to improve how it evaluates the impact anticorruption program. It often takes years for the technical assistance programs to achieve measurable impact on the ground. Moreover, this impact often occurs after the conclusion of the program or project.
- A lack of political will among government officials adversely affects the impact of anticorruption technical assistance programs. The lack of political will means that public officials who receive capacity building training and technical assistance are unable to utilize new skills because leaders restrict anticorruption initiatives.
- Poor donor coordination can inhibit the effectiveness of anticorruption technical assistance. This is due to a lack of communication on the ground and the routine turnover of personnel responsible for designing and implementing technical assistance projects, which results in a lack of historical memory.

5. Current anti-corruption priorities

- Combatting corruption's role as a facilitator of transnational organized crime
- Countering corruption's adverse effect on business competitiveness

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1   *Technical assistance should be understood in line with UNCAC provisions, and cover relevant programs aimed at strengthening capacities in the prevention and fight against corruption as well as both public and private sectors' integrity*

2   *For further information on each of these forms of technical assistance please refer to https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/20-24June2016/V1603598e.pdf*

3   *Institutional framework under which the program is undertaken (e.g, agency responsible for implementing the program, other agencies involved, legal framework, etc).*