Utilizing open data for anti-corruption efforts in Thailand

UNODC supports NGOs and state agencies making better use of open data for anti-corruption efforts.

Open data has been recognized as the raw material of the 21st Century: it provides important information to businesses spurring innovation and economic growth; it helps improves policy-making, government efficiency and public service delivery; and it is also emerging as an important instrument to prevent and fight corruption in the public and private sector.

Releasing in open data format information on beneficial ownership of companies and asset declarations of public officials, for example, can be instrumental to address conflict of interests and investigate corruption allegations. Similarly, releasing information in open data on public tenders’ announcements and awards can be an effective tool to prevent and identify corruption in public procurements.

In Thailand, open datasets have become increasingly available, following trends elsewhere in the world. The Electronic Government Agency (EGA), under the supervision of the Ministry of Information and Communications Technology manages the Government's central data portal, which includes 893 datasets related to economic development, transportation, industry and society, and government spending. Yet, the application of open data is still limited, especially regarding anti-corruption efforts.

To address these limitations and bring forward the open data agenda for anti-corruption efforts, key stakeholders from civil society, private sector and government agencies including EGA met in Bangkok on the 8 of February to discuss challenges in accessing and using open data in Thailand. They highlighted the need to improve inter-agency coordination, introduce standardized data, databases and systems, train staff on data management and analysis as well as the need of regulatory reforms to limit restrictions on open data.

With special thanks to:

Australian Government
Department of Foreign Affairs and Trade
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Fostering awareness on nexus between corruption and terrorism

ASEAN calls for research to enhance knowledge on the nexus between corruption and terrorism.

Against the background of recent terror attacks in the region and returning terrorist fighters from Syria and Iraq, the Defense Ministers of the Association of Southeast Asian Nations (ASEAN) and China called for greater cooperation to counter terrorism defining it as the most serious security threat to the region. Anecdotal evidence indicates that corruption is an enabling factor for terrorists’ operations, for example in 2016 in Sabah (Malaysia), investigations led to the sacking, suspensions and transfers of 100 immigration personnel for facilitating the travel of ISIS members to the Philippines.

The battle of Marawi (Philippines) between the Government and Islamist Militants - May 2017

But despite this increasing evidence of the nexus between corruption and terrorism, analysis on the phenomenon is still scarce; to address this gap, UNODC, jointly with the Embassy of Canada in Indonesia, organized a roundtable in Jakarta, Indonesia, with a view to map existing initiatives and plan the way forward in terms of analysis and data gathering, looking in particular at law enforcement and criminal justice systems. Representatives from the Government, civil society, Embassies and International Organizations participated in the event.

Participants agreed that there is enough evidence to the fact that corruption of public border officials enables terrorists to travel clandestinely and gain access to targets or smuggle weapons. It was highlighted that obtaining false documentation usually entails corruption of border officials who remain very vulnerable. Movement of funds across border to finance terrorist activities was identified as a special challenge, to be addressed through coordinated efforts among Financial Intelligence Units, Anti-Corruption Agencies, Special Police Departments and financial institutions. UNODC is currently developing a set of activities to address these issues.

The Anti-Corruption Commission (ACC) of Myanmar called upon UNODC to support the development of a national anti-corruption strategy and related implementation plan. The strategy is expected to help positioning the ACC as coordination body for a broad range of law enforcement and prevention of corruption activities. An initial draft of the strategy has been developed through a workshop involving representatives from the Government, civil society and the private sector. The current draft includes the development of a prevention unit of ACC as well as a series of legal and institutional reforms covering issues such as whistle-blower and witnesses’ protection, corruption complaints mechanisms, asset declarations for public officials, investigative tools, and the freezing and seizing of proceeds of crime. The UNODC office in Myanmar is currently implementing an anti-corruption project supporting a broad range of activities in cooperation with Anti-Corruption Commission, Attorney General Office, Financial Intelligence Department, among others.

Income and asset declaration systems in Southeast Asia

UNODC supports countries in the region in developing and strengthening their asset declaration systems.

Income and asset declaration systems are one of the most effective anti-corruption tools. In income and asset declaration systems, public officials typically must declare their sources of income, the assets they possess as well as their major expenditure items.

Comparing declared sources of income with expenditures provides a speedy and effective check on whether public officials can afford and explain their lifestyle with legitimate sources of income or not; unexplained wealth can be subjected to investigations on illicit enrichment and other, related corruption offences.

Income and asset declaration systems vary in terms of coverage, frequency, verification processes and sanctions applied, among other things. In Southeast Asia Indonesia and the Philippines have already well-established systems while other countries are still developing them.

Supporting Myanmar in developing a national anti-corruption strategy and action plan

UNODC supports countries in their efforts to develop and implement anti-corruption strategies.

The UN Convention Against Corruption requires State Parties to develop a comprehensive anti-corruption strategy to define priorities and channel national efforts to address corruption. The process of developing a strategy, if conducted in a consultative and inclusive manner, also helps to build stakeholders’ engagement to fight corruption.

Representatives of Myanmar developing the national anti-corruption strategy - January 2018
UNODC is currently undertaking a regional study of the income and asset declaration systems in Southeast Asia, covering Cambodia, Indonesia, Myanmar and Vietnam. The study will review the relevant legal and institutional frameworks and develop specific recommendations for improving the systems. The study and recommendations will be presented in a regional workshop to be held in June in the Philippines.

Building capacity for corruption investigations in Southeast Asia

One of UNODC’s main objectives in the region is to strengthen UNCAC State Parties’ capacities to investigate corruption cases.

The first cycle of review of implementation of the UN Convention Against Corruption, covering Chapter III “Criminalization and Law Enforcement” and IV “International Cooperation” shows the need to strengthen the capacity of national anti-corruption agencies and other relevant law enforcement authorities to conduct corruption and financial investigations at the national and international levels; this need is becoming more pressing in light of the technological innovation allowing fast and hardly traceable transfers of funds across the region and globally.

In a three-day training, organized by the UNODC in Hanoi (Vietnam) in March 2018, 40 participants from the anti-corruption agencies, Central Authorities for Mutual Legal Assistance, Financial Intelligence Units and Attorney General’s offices from Cambodia, Lao PDR, Myanmar, Thailand and Vietnam learned about financial investigation methods, developed a special investigation tool-kit and applied the newly acquired skills by solving hypothetical corruption cases.

Developing the Code of Ethics for Judges in Vietnam

UNODC supports judiciaries adopting integrity measures preventing corruption tools.

Judicial integrity is essential for enhancing the rule of law, protecting human rights and fighting corruption; the UN Convention Against Corruption in its Article 11 requires States Parties to take measures to strengthen integrity and to prevent opportunities for corruption among the members of the judiciary. ASEAN countries are taking steps to ensure that judiciaries have well developed ethics frameworks and can operate independently. With a view to support this process the UNODC has recently provided assistance to the Supreme People’s Court of Vietnam in the development of a Code of Ethics for Judges.

The Supreme People’s Court of Viet Nam (SPC) issued the Code of Conduct for Court personnel in 2008. However, this document is not specific enough, lacking many basic elements of judicial ethics according to international standards. A consultation workshop on the Draft Code of Conduct for Judges was held in Hanoi on 8th March 2018, co-organized by UNODC and SPC, to
promote greater understanding of the key issues a Code of Conduct for the Judiciary should cover and to get the input from other stakeholders. Over 150 participants including Chief Justice, Deputy Chief Justices, judges, members of parliaments, academics, researchers, legislators, legal experts, law enforcement officers, government officials and development partners attended. The workshop allowed gathering comments on the existing draft that will be incorporated in a new proposal to be then endorsed by the SPC.

**Recovering stolen assets across Asia-Pacific**

*UNODC promotes cooperation in the Asia-Pacific region to facilitate the recovery of stolen assets.*

As studies by the StAR initiative indicate, each year, according to conservative estimates, developing countries lose around $20 to $40 billion USD to corruption, or about 20 to 40 percent of the amount of official development assistance. Acknowledging this, the United Nations Convention against Corruption with its Chapter 5 provided the first comprehensive and innovative framework for asset recovery.

In order to discuss cooperation among authorities in the Asia-Pacific region for enhancing asset recovery, UNODC, in cooperation with the National Commission of Supervision of China and the National Anti-Corruption Commission of Thailand, organized a Training Workshop on Asset Recovery as an activity of the APEC Network of Anti-Corruption Authorities and Law Enforcement Agencies (ACT-NET).

This training workshop brought together APEC anti-corruption and law enforcement authorities, experts from international organization, and academics. It provided a platform for sharing experience, investigative techniques, investigative tools, knowledge products, and effective practices as well as case studies.

Panelists discuss procedures for recovering stolen assets - March 2018

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