PREPARATION OF SAACL
CHAPTER II – UNCAC:
Malaysia Experience

Intergovernmental Working Group on the Prevention of Corruption
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Presented by:
Mustafar Ali
Deputy Chief Commissioner (Prevention)
Malaysian Anti-Corruption Commission
Malaysia’s commitment in UNCAC

- Malaysia signed the United Nations Convention against Corruption (UNCAC) on 9th December 2003
- Ratified UNCAC on 24th September 2008
The Review of other States Parties on Chapters III and IV

- Malaysia & Jordan, has reviewed Iraq in year 2 of the First Review Cycle – 2011/12.

- In year 4 of the First Review Cycle, Malaysia involved in reviewing Turkey and the Republic of Palau before year ends.
Malaysia Under Review

- At the 3rd meeting of Implementation Review Group of UNCAC on 18-22 June 2012, Malaysia was drawn to be reviewed by Kenya and the Philippines (during Year 3 of the 1st Review Cycle - 2012/13):
  - Chapter III (Criminalization and Law Enforcement); and
  - Chapter IV (International Cooperation)
Malaysia has completed the review process of the said two chapters within the one year period (about 340 days) as stipulated in the Review Mechanism.
Malaysia’s approach in preparation for the 2nd Review Cycle
Step 1: Formation of the Task Force and identification of Stakeholders

- The process for the review of chapter II begins with the formation of the MACC-UNCAC Task Force Team.
Cont. Step 1:
Formation of the Task Force and identification of Stakeholders

- The members of the UNCAC Task Force Team (for Chapter II) or steering committee are composed of heads of divisions/senior officers within the MACC Divisions:
  - Director of Community Education Division;
  - Director of Consultations and Inspection Division; and
  - Director of Policy, Planning and Research Division
The Task Force must then identify the relevant or appropriate stakeholder(s) who are responsible for implementation of preventive measures in Malaysia for each of the UNCAC Chapter II article in order to get their input required under the SACL.
The stakeholders and the UNCAC Articles:
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<th>STAKEHOLDERS</th>
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<td>Malaysian Anti-Corruption Commission (such as Community Education Division,</td>
<td>5, 6, 10</td>
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<td>Inspection and Consultation Division)</td>
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<td>Ministry of Foreign Affairs</td>
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<td>PEMANDU (Performance Management Delivery Unit)</td>
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<td>National Key Results Area (fighting corruption)</td>
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<td>Public Service Department (PSD)</td>
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<td>Public Service Commission</td>
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<td>Central Bank of Malaysia</td>
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Civil Societies/NGO- Article 13

- Transparency International (M)
- The Centre to Combat Corruption and Cronyism (C4)
- Business Chambers
Other components of the Task-force:

- The Secretariat
- Anti-corruption expert (external) and expert subject matter
- Desk officer(s)
Step 2 - Must Do Checklist

- To keep track of the progress of the preparation process. A **Must Do Checklist with time-frame is drawn up by the Secretariat.**

- Taskforce Secretariat to send reminders to the stakeholders to meet set datelines.
Step 3 - Familiarization and Training in OMNIBUS software (optional)

- UNODC workshop on UNCAC Review Mechanism
- Who should attend – Core Members of Taskforce, Desk Officers, Stakeholders
- Exposure of UNCAC to non-governmental organization and other Stakeholders
Step 4 - Working on the SACL

- Key-in Data and preparing of Draft SACL
- Sharing of Draft SACL with Stakeholders
- CSO Involvement
- Consolidation of Comments/Inputs and the making of the Final Draft
- Approval of Steering Committee
Experience in filling up the SACL

- Example, Article 13 - Participation of society
- Objectives of the Civil Society Service Line:
  - To enhance public perception and confidence towards the MACC.
  - To gain support from civil society and NGOs in championing the efforts to eradicate corruption.
  - To influence members of civil society to become agents of change and key communicators, and
  - To encourage a culture of integrity among Malaysians.
Malaysia assessment of the revised SACL

- Overcoming technical difficulties faced under the OMIBUS/SACL format
- Efficient coordination
- Quality of information not compromised
We don’t grow when things are easy; we grow when we face challenges.

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Challenges

- Cooperation and commitments from Stakeholders
- Lack of data (statistics) or information (case examples) to support the responses
- Mastering the Self-Assessment Check List in the OMIBUS format
- Certain stakeholders do not attach importance to the time frame set (priority setting).
Challenges

- No permanent staff or officers to handle the review process to start keying information and data into the SAICL
- Lack of understanding the provisions under UNCAC by stakeholders
- Language barrier
Thank You

a4@sprm.gov.my
mustafar.ali@sprm.gov.my
http://www.sprm.gov.my