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**Statement submitted by Global Organisation of
Parliamentarians Against Corruption (GOPAC), a
non-governmental organization in consultative status with
the Economic and Social Council***

The following document is being circulated in accordance with paragraph 1 (i) of resolution 4/6 of the Conference of the States Parties to the United Nations Convention against Corruption and rule 17, paragraph 3 (b), of the rules of procedure for the Conference.

* The present document is processed in the form in which it was received.





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SEAPAC: CoSP to UNCAC should adopt resolution on the inclusion of parliamentarian as national delegation to the Conference

UNCAC is already at its 20 years of implementation. We have seen progress everywhere in combatting this offense of abuse of entrusted power. By tackling corruption, we prevent the further loss of public money due to abuse, ineffective, or misallocation of it; we strengthen the integrity of institutions to regain the loss of public trust; and further, we develop a system where the rule of law, a rules-based mechanism is in place solely to serve and protect people's fundamental rights.

Whole-of-Society approach

However, corruption itself remains rampant and pervasive. At least this is what the public perceived in 2022 as portrayed by the 2022 Corruption Perception Index (CPI). The recent CPI shows that most countries are failing to stop corruption. This is no exception for the South-East Asia (SEA) region. We now only have one country from the SEA region who scored above 50. In 2020, we still have at least three countries scored above 50.¹

SEAPAC believes that efforts against corruption need to be comprehensive. And that should also include how we approach the issue itself. Although there is no one-size-fits-all formula to combat corruption, SEAPAC has a conviction that the *whole-of-society approach*, including the involvement of parliamentarians, is critical to the effective implementation of UNCAC.

Our conviction is based on the logic of legislative requirements requested by the Convention itself. Parliaments sometimes are not aware of these legislative requirements. The GOPAC's Parliamentary Dialogue on UNCAC, which was held in Doha in March 2023, provided such understanding. Not to mention that little has been done to exercise regular scrutiny over the implementation of UNCAC.

SEAPAC review finds that at least 20 UNCAC provisions listed the exact words "legislative measures" or "legislative and administrative or other measures" as a requirement to implement UNCAC. Out of those, eight provisions are mandatory to be created or amended by the State Parties, nine are mandatory to be considered, and three are optional requirements. Not to mention other words such as "policies or measures," which can be translated into legislation products, should a country wish to do so.²

¹ In [2020](#), Brunei Darussalam, Malaysia, and Singapore scored above 50 on CPI published by Transparency International. While in [2022](#), only Singapore recorded a perception score above 50. Brunei perception scoring in the CPI is not available. The CPI is an index measuring people's perception. [UNODC is currently preparing a statistical framework to establish global statistical standards on corruption.](#)

² The review is made to provide an overview of specific articles of the Convention containing the exact term of "legislative measures," a clear reference where parliament can exercise its function to legislate within their respective domestic jurisdiction. The reference shall not be construed to restrict parliament only to exercise its function specific to the provisions containing "legislative measures" as mentioned.

The real work has just begun

To put it into context, the SEAPAC’s UNCAC Desk Review on legislative identification to implement UNCAC provides us with some findings as follows:³

- At least five South-east Asian countries have yet to adopt legislative measures to criminalize bribery of foreign public officials and public international organizations (UNCAC article 16.1).
- Two countries must develop or amend legislation to criminalize obstruction of justice.
- At least four countries have requested the UNODC to provide technical assistance in legislative drafting, model law, and/or legislative advice, all of which are within the very nature of parliament’s work.

The above findings are only for legislative requirements that are mandatory to be implemented by the State Parties. Not to mention the others. Given that legislation is within the domain of parliament, it is sufficient to say that our roles to support the effective implementation of UNCAC are important and inevitable. *Our work does not end by ratifying UNCAC; the real work has only just begun instead.*

Domestic mechanisms to review UNCAC

SEAPAC proposes two ways for parliament to be more engaged and involved in UNCAC. *Firstly*, parliament and parliamentarians need to *develop domestic mechanisms to review the Convention regularly.* It may seem a simple task, but we tend to overlook this job. With no existing parliamentary mechanisms, the government can easily bypass the reporting obligation for UNCAC implementation to parliament.

A CoSP Resolution for mandatory inclusion of parliament as national delegation to the Conference

Secondly, to complement the domestic measures, a regular international parliamentary engagement to the UNCAC review mechanism is necessary to increase awareness of what is happening at the global anti-corruption governance.

Therefore, SEAPAC, as the Southeast Asia chapter of GOPAC, urges the ***State Parties to UNCAC to adopt a resolution for the mandatory inclusion of parliament members, both from the ruling and opposition sides, as the national delegation to the CoSP.*** Whenever it exists, such adoption embodies a strong political will of the State Parties that they are resolutely to work with the whole-of-society approach.

Shape bolder political will at regional level

Let us not forget that we need to do something at the regional level. SEAPAC, as a coalition of individual members of parliament, urges ASEAN to take corruption issues seriously. Although the ASEAN Political-Security Community Blueprint 2025 has included integrity and anti-corruption as

³ SEAPAC UNCAC Desk Review is done by delving into several documents including the Implementation Review Group Report/Executive Summary of ASEAN Member States and Timor Leste conducted under the mandate of the CoSP to the UNCAC. Several countries have yet to conclude their second cycle review therefore the Desk Review is by no means considered as final.

one of the key elements of a rules-based, people-oriented, people-centered community, minimum reference is to be found in various follow-up ASEAN statements.

ASEAN does not have an integral regional body to shape the political will for the anti-graft work, they only have ASEAN Parties against Corruption, a regional network of anti-corruption body.

ASEAN does not have a regional convention on the offence(s), but it inserted the criminalization of corruption, the laundering of the proceeds of crime, and obstruction of justice in another convention: the ASEAN Convention against Trafficking in Person. Little reference is found on any other ASEAN plan of action/programs. Something that comes as no surprise.

With 2025 drawing near and since ASEAN is currently drafting an ASEAN Vision for Post-2025, SEAPAC calls upon ASEAN to integrate more comprehensive ways and means to combat corruption. To shape a bolder political will to combat corruption and build integrity. ASEAN post-2025 should also include the creation of an equal level playing field with parliament as a stakeholder of the ASEAN Community, not just as an entity associated with ASEAN.

By creating an equal level playing field between the government and the parliament, at national and multinational arena, we are able to provide a more integrated approach to combat corruption.