**Conference of the States Parties
to the United Nations
Convention against Corruption**

**Third session**
Doha, 9-13 November 2009
Item 2 (a) of the provisional agenda*
**Review of the implementation of the United Nations
Convention against Corruption: expert consultation
on the prevention of corruption**

## Meeting of experts on good practices to prevent corruption and foster a culture of integrity, held in Doha from 9 to 11 February 2009

### Note by the Secretariat

## I. Introduction

1.    At its second session, held in Nusa Dua, Indonesia from 28 January to 1 February 2008, the Conference of the States Parties to the United Nations Convention against Corruption expressed support for placing additional emphasis on the prevention of corruption at its third session.

2.    Pursuant to that affirmation, the secretariat of the Conference, thanks to the generous contributions of the Governments of Finland and Qatar, convened a brainstorming meeting on the prevention of corruption, held in Doha from 9 to 11 February 2009. The objective of the meeting was to share good practices in the prevention of corruption and exchange ideas on how to promote the implementation of the preventive measures set forth in the United Nations Convention against Corruption (General Assembly resolution 58/4, annex). The present paper documents the discussion and recommendations of the meeting.

3.    The experts participating in the meeting agreed that a phased approach was recommended in order for measures to prevent corruption to be effective and sustainable. The experts suggested that in the short term, efforts should focus on presenting a limited number of realistic and measurable initiatives for consideration by the Conference at its third session. However, while there was a focus on the short- and medium-term strategies, it was recommended that the Conference should

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    * CAC/COSP/2009/1.

also prepare the way for a long-term strategy. The experts noted that while certain global preventive approaches responding to common, generic needs could be designed and used, other approaches would be needed taking into account specific factors such as regional and national diversities and the specificities of given sectors. Likewise, initiatives that had proven successful in a specific context might lend themselves to immediate replication elsewhere, while other initiatives might require prior adaptation. Accordingly, the present paper outlines the actions required in the short, medium and long terms to prevent corruption, as recommended by the group of experts. Their views on the scope of those actions are also given.

## II. Short-term measures to prevent corruption

### A. Collection, organization, analysis and dissemination of information on good practices for the prevention of corruption

#### 1. Comments by the experts

4.     With respect to the collection, organization, analysis and dissemination of information on good practices for the prevention of corruption (arts. 5, 6, 9, 12 and 13), the experts agreed that it was necessary to map the topography of existing corruption prevention measures and practices in order to assess their impact and identify commonalities of successful approaches. That exercise would facilitate the distinction between those approaches that were readily exportable and those that were context-, sector- or country-specific. The experts suggested that, identified based on the commonalities of successful approaches, generic models and templates should be developed, which could then be adapted to respond to the needs of specific contexts. The experts pointed out that while the United Nations Office on Drugs and Crime (UNODC) should request information from States parties on successful practices to prevent corruption, extensive knowledge on the subject matter was available from other sources. The experts stressed that in order to avoid duplication of efforts while tapping into existing resources, cooperation between the providers and the potential beneficiaries of such knowledge should be encouraged. Although the collection of information on the implementation of the Convention was an ongoing activity of the secretariat, the experts recognized that in the short term, emphasis should be placed on the identification and analysis of good practices in a limited number of key areas: education, public procurement and public-private partnerships. The experts suggested that workshops and other initiatives be organized on those topics in the foreseeable future.

#### 2. Action required

5.     The experts noted that the following actions were required:

        (a)    The gathering of information on good practices in corruption prevention, with a focus on education, public procurement and public-private partnership. (Through the trial self-assessment checklist on the implementation of Convention against Corruption, UNODC has already collected information on public procurement from 72 States parties and 6 signatories);

(b) Identification of the commonalities of successful approaches in preventing corruption, analysis of information and the development and dissemination of models and templates for replication;

(c) Organization of workshops and other initiatives.

## B. Clarification of the content of the law

### 1. Comments by the experts

6. With respect to the content of the law (arts. 5, 6 and 8), the experts suggested that, in order to remove ambiguity and prevent arbitrary interpretation of the Convention, States parties should promote the clarification of the content of the law with respect to specific issues such as regulation and avoidance of conflict of interest, nepotism and cronyism. The experts recommended that States parties identify existing models of self-regulation and develop professional codes of conduct (art. 8). While those models and codes were recognized to be country-specific or sector-specific, the experts suggested the development of tools and guidelines to help identify commonalities of existing forms of self-regulation for the public sector (e.g. the basic content, structure and means to promote the adoption and dissemination of such self-regulatory models). Further, the experts supported the idea of establishing procedures for resolving ethical issues not only at the national level but also at the level of the workplace. That approach was regarded as generally applicable while the primary addressees of these recommendations were States parties, UNODC would be required to assist those States in the development of the above-mentioned tools and guidelines. Although it might appear that developing tools and guidelines would not have any immediate tangible impact, it should be noted that the compliance of national laws with the Convention and the unambiguous interpretation of those laws constituted a basic pillar of the prevention of corruption.

### 2. Action required

7. The experts noted that the following actions were required:

(a) Identification of existing forms of self-regulation and the development of professional codes of conduct;

(b) Establishment of procedures for resolving ethical issues in the workplace;

(c) Development of tools and guidelines for the self-regulation of the public sector.

## C. Development of general anti-corruption policies

### 1. Comments by the experts

8. With respect to the development of general anti-corruption policies (arts. 5 and 6), the experts suggested that States parties should regard anti-corruption policies as an integral part of their crime prevention policies. They also supported the idea of conducting risk and vulnerability assessments to identify situations and

sectors potentially or recurrently prone to corruption (e.g. zoning, licencing and construction). The experts recommended the use of a situational crime prevention approach to reduce risks and vulnerabilities. The situational approach is based on the premise that corruption is largely a result of situational factors. To be successful, a strategy to prevent corruption should thus seek to redress unfavourable situational factors by minimizing the opportunities to engage in corruption and by improving the effectiveness of supervision. The experts also supported the development of early warning indicators as part of a situational crime prevention approach. They highlighted the differences between systemic corruption and forms of minor corruption and recommended that those differences should be taken into account when designing and implementing anti-corruption policies. Further, the experts stressed the importance of having a national body or bodies to coordinate anti-corruption efforts. They reiterated that in order to be effective, such bodies needed to function with full independence.

### 2. Action required

9. The experts noted that the following actions were required:

(a) Incorporating anti-corruption policies into crime prevention policies;

(b) Risk and vulnerability assessments (Assistance may be required to conduct risk and vulnerability assessments and analyse the findings.);

(c) Development of early warning indicators.

## D. Public procurement

### 1. Comments by the experts

10. With respect to public procurement (art. 9), the experts recognized that extensive knowledge and guidance on the prevention of corruption in public procurement were available from a variety of sources. The experts suggested that, as a short-term activity, UNODC should gather a small number of interested States parties, together with experts and representatives of the private sector, in order to align the systems of procurement of those States with article 9 of the Convention. They suggested that States parties should develop computerized systems ("E-procurement" and transparency portals) not only to govern public procurement but also to track and identify suspect cases. Further, they supported the idea of developing procedures for company debarment. The experts recommended working with the private sector to develop a pact outlining the steps necessary to promote and implement public procurement reform, including resource implications. Those measures were deemed to be generally applicable.

### 2. Action required

11. The experts noted that the following actions were required:

(a) In the short term, a small number of States parties, in partnership with representatives of the private sector, should review and align their systems of public procurement with article 9 of the Convention;

(b) Development and replication of computerized systems ("E-procurement" and transparency portals);

(c) Development of procedures for company debarment;

(d) Development of a pact with the private sector, including the issue of resource requirements, to implement public procurement reform.

## E. Development of optimal public-private partnerships for the prevention of corruption

### 1. Comments by the experts

12. With respect to the development of optimal public-private partnerships for the prevention of corruption (art. 12), in order to enhance the dialogue with the private sector, the experts recommended that an appropriate framework should be established to engage global and sector-specific business initiatives. Regional or subregional workshops could be organized in order to discuss public sector reform in depth. The experts further recognized the need to identify elements of the optimal self-regulation of the private sector.

13. The experts supported the idea of devising incentives for the private sector to change those business practices that have proven to create vulnerability to corruption and supported the idea of promoting the engagement of private companies in preventive action. It was recommended that States parties adopt a "carrot-and-stick" approach.

14. Another recommendation in this area was the identification and further development of tools and templates for the self-regulation of the private sector, such as integrity standards, effective compliance programmes and procedures for external verification. The experts further recognized the need to identify elements of the optimal self-regulation of the private sector. In addition to those country-specific measures, the experts recommended that generic models and templates be developed.

### 2. Action required

15. The experts noted that the following actions were required:

(a) Enhance dialogue with the private sector, identify the appropriate framework and engage partners;

(b) Provide incentives to change business practices that create vulnerability to corruption;

(c) Promote the engagement of the private sector in the prevention of corruption;

(d) Identify elements of optimal self-regulatory models;

(e) Identify elements of optimal State regulation of the private sector.

### F. Promotion of the participation of society

#### 1. Comments by the experts

16. With respect to the promotion of the participation of society (arts. 5, 6, 10 and 13), the experts suggested that States parties should raise public awareness of corruption, relevant laws and the responsibilities and duties of public officials. They recommended that societies be stimulated to move from a culture of acceptance of corruption to one of rejection and condemnation of corruption. They also recommended that access to information (e.g. through transparency portals) be promoted. While the experts deemed those measures to be generally applicable, they recognized that country-specific variations might be required.

#### 2. Action required

17. The experts noted that the following actions were required:

(a) Raising of public awareness of corruption, relevant laws and the responsibilities and duties of public officials;

(b) Stimulation of societies to move from a culture of acceptance of corruption to one of rejection of corruption and the promotion of access to information (e.g. through transparency portals).

## III. Medium-term measures to prevent corruption

### A. Assessment of the impact of policies and gap analysis

#### 1. Comments by the experts

18. With respect to the assessment of the impact of policies and gap analysis (arts. 5 and 6), the experts indicated that, while the assessment of the impact of anti-corruption policies and the conducting of gap analysis were country-specific undertakings, UNODC could assist by developing a common methodology and related tools and guidelines.

#### 2. Action required

19. The experts noted that the following actions were required:

(a) States are to assess the impact of their anti-corruption policies (A comprehensive self-assessment checklist in the form of a computer-based application, developed to gather information on compliance by States with the Convention and to be presented to the Conference at its fourth session, contains questions to determine whether assessments of the effectiveness of national measures have been carried out.);

(b) States are to conduct gap analysis (The software-based comprehensive self-assessment checklist, once completed, could be used as a framework to carry out comprehensive gap analysis with respect to implementation of the Convention.).

## B. Working with the media

### 1. Comments by the experts

20. With respect to working with the media (art. 10), while taking into account the importance of an independent media, the experts recommended the greater engagement of the media in keeping the public informed with respect to corruption issues. The experts recognized the need to promote integrity within the media as well. To that end, the experts urged the development of media models, training curricula and guidelines for responsible reporting. With respect to fostering cooperation between public authorities and the media, the experts were of the opinion that States parties should introduce general and targeted public awareness campaigns and conduct media competitions for the most responsive and responsible reporting on corruption. While those measures were deemed to be generally applicable, the experts recognized that there might be country-specific variations.

### 2. Action required

21. The experts noted that the following actions were required:

    (a) Development of media models, training curricula and guidelines for journalists;

    (b) Cooperation between public authorities and the media in the following areas:

    (i) General and targeted public awareness campaigns;

    (ii) Media competitions for the most responsive and responsible reporting on corruption.

# IV. Long-term measures to prevent corruption

## A. Educational measures

### 1. Comments by experts

22. To instil a culture of integrity in societies, public administration and the private sector, the experts recommended the following generally applicable educational measures:

    (a) Identification of ethical values in the private and public sectors;

    (b) Review of school curricula to determine if and how such values are reflected in curricula and the amendment of possible contradictions in textbooks;

    (c) Incorporation of ethical values in textbooks;

    (d) Training for authors and publishers of textbooks;

    (e) Training of teachers;

    (f) Incorporation of ethical values in continuous education and school management, for example, by means of special days and competitions;

    (g) Working with the media to reinforce ethical values.

23. With respect to primary education, the experts recommended that States should develop relevant websites for children, cartoons, anti-corruption essay or art competitions, clubs and other school programmes.

24. With respect to higher and specialized education (art. 7, para. 1 (d) and art. 8, para. 1), the International Anti-Corruption Academy, to be established with the support of the Government of Austria, UNODC and the International Criminal Police Organization (INTERPOL), could be used as a model for the creation of regional academies. The measures to be taken with respect to higher education should focus on the present and future managers of both public and private entities. Curricula could include training in ethics and awareness of anti-corruption legislation. The experts also indicated that postgraduate training, academic study and research should be supported and that online libraries should be created.

25. With respect to the promotion of continuous education and training, (art. 7, para. 1 (d) and art. 8, para. 1), the experts recommended carrying out targeted public awareness campaigns in order to generate recurring discussions, involving practical examples, in companies and public administration.

26. The Chairman of the meeting offered to write a brief paper outlining the different methodologies to be used in relation to primary, secondary and higher/university education.

## 2. Action required

27. The experts noted that the following actions were required:

(a) Creation of relevant websites for children, cartoons, anti-corruption essay or art competitions, clubs and other school programmes;

(b) Establishment of regional anti-corruption academies modelled on the International Anti-Corruption Academy;

(c) Promotion of postgraduate training, academic study and research;

(d) Creation of online libraries;

(e) General and targeted public awareness campaigns and the discussion of practical examples;

(f) Drafting of a paper outlining different approaches concerning ethics to be used in relation to primary, secondary and higher/university education.

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