

***Questionnaire on the Use of Information and Communications Technologies for the Implementation of the United Nations Convention Against Corruption (UNCAC)***

**I. General Information on the use of Information and communication technologies:**

*1. Has the Government used information and communication technology (ICTs) in the context of international cooperation for the implementation of the Convention?*

Answers:

**DBM:** Yes.

a. Email/messaging technologies

- Videoconferencing platform/services
- Word processing technologies
- Publicly available websites
- Custom-made software for management and execution of requests
- Databases
- Secure data storage platform/facilities

**SEC:** Yes.

- Email/messaging technologies
- Videoconferencing platform/services
- Word processing technologies
- Publicly available websites
- Databases

The official website of the Department/Agency requires the inclusion of the following:

- Transparency Seal for compliance to Good Governance

- Freedom of Information to electronically access information from the Government

**COA:**

With regard to the use of ICTs in the context of international cooperation, COA has no relevant experience and good practices to share in this respect.

2. Please provide additional details of any ICT that are particularly useful for international cooperation based on experience, including any websites, resources, or tools that you frequently use and find most useful.

Answers:

**DBM:**

The official website of the Department/Agency requires the inclusion of the following:

- Transparency Seal for compliance to Good Governance
- Freedom of Information to electronically access information from the Government

**SEC:**

- Zoom. Used for video-conferencing and as medium for attending webinars. This is a cost-effective ICT software considering that the reduction in time and travel costs; and
- Gmail. Used for e-mail communications and transmittal of some letters and documents both to domestic and international recipients.

3. If you are using a software or have developed or use custom-made software in the context of international cooperation (e.g. case management for incoming and outgoing requests), please provide information on the main features of such software and how it could be useful. Additionally, would you consider making your custom-made software available to other State-Parties to the Convention?

Answers:

**DBM:**

The DBM developed a system that will electronically release action documents digitally signed by the authorized representatives.

**SEC:**

The SEC uses an Electronic Filing and Submission Tool (FAST) in order to facilitate submission of annual reports like the General Information Sheet (GIS) which also contains Beneficial Ownership (BO) Information. However, we would like to emphasize that the BO Information is not available to the general public who may request basic corporate information from the SEC Express System - another system used by the SEC to make basic corporate records accessible to the requesting public.

The State-parties need not access the FAST or the SEC Express System directly as there are different modes available to foreign competent authorities to request information on corporations.

The SEC makes BO information available upon request to competent authorities which require said information to perform their lawfully mandated functions. To facilitate timely access to corporate and BO data, the SEC has assigned a dedicated team in its Anti-Money Laundering (AML) Division that has access to all basic corporate and BO information submitted to the SEC.

For foreign competent authorities, there are two possible ways to request basic and BO information of corporations from the Philippine SEC aside from the formal Mutual Legal Assistance (MLA) route, as follows:

- a. The first is through a request for information (RFI) coursed through the Anti-Money Laundering Council (AMLC). The SEC acts on all requests for information made by the AMLC which may share said information with the requesting foreign competent authority subject to the requirements and procedure set by the AML in processing RFIs under Rule 31 of the 2018 Implementing Rule and Regulations of the AML Act; and
- b. The second is through a request for information directly to the SEC by virtue of a Data Sharing Agreement (DSA) and/or Memorandum of Understanding (MOU) between the foreign competent authority and the SEC. A foreign competent authority with an existing MOU or DSA with the SEC may request basic corporate and BO information on registered corporations from the SEC under the terms of the MOU or DSA.

## II. Evaluation and good practices

4. Have you evaluated the effectiveness of using ICTs for international cooperation in the fight against corruption?

- a) If yes, what indicators did you use for your evaluation? What was the outcome of the evaluation?
- b) If the outcome of the evaluation was positive, how did the use of ICT facilitate international cooperation? Has the set of ICTs improved the quality of incoming and outgoing requests of their timely follow-up and reporting on international cooperation?

Answers:

**DBM:** Yes.

- a) The DBM is conducting a regular session with the users of the system to solicit feedback for the continuous improvement of the system.
- b) The system ensures integrity and efficiency in the timely processing of requests by recognizing the use of digitally signed electronic documents.

**SEC:**

This answer may be best addressed by the Anti-Money Laundering Council-Financial Intelligence Unit (AMLC-FIU) as well as other competent authorities.

5. Please provide information (policies, measures, examples, case studies) of good practices in connection with your country's use of ICTs for international cooperation and asset recovery.

Answers:

**DBM:**

The government issued an Executive Order directing all offices to adopt and implement an integrated financial management information system in the processing of their transactions.

**SEC:**

This answer may be best addressed by the AMLC-FIU as well as other competent authorities.

**III. Challenges**

6. Have you experienced any challenges or limitations in using ICTs in the context of international cooperation related to anti-corruption efforts?

Answers:

**DBM:** Yes.

- Lack of capacity or training
- Lack of resources
- Security and confidentiality of sensitive information
- Technical obstacles

**SEC:** Yes.

- Security and confidentiality of sensitive information
- Technical obstacles

7. Please elaborate on the responses provided to Section 6. If possible, please provide examples of the obstacles mentioned and describe the measures taken to overcome them.

- a. What kind of ICT would help improve your ability to cooperate with other States on the fight against corruption?

Answers:

**DBM:**

There are limited opportunities for ICT training due to lack of funding.

To address this, necessary training is included as part of the requirements in different ICT projects.

- a. Sharing of best practices on the Public Financial Management system would help in the achievement of the desirable budget outcomes of aggregate fiscal discipline, strategic allocation of resources, and efficient service delivery.

**SEC:**

First, the security and confidentiality of sensitive information transmitted through ICT is not assured unless both the sender and the requestor have adequate cybersecurity measures in place. To overcome this, the SEC continuously reviews its cybersecurity policies and updates the software and hardware to ensure compliance with international cybersecurity standards.

Second, the technical obstacles like connectivity is a challenge considering that internet connectivity is key to CIT usage. There are times when internet connection is weak but the problem is being addressed by SEC's in-house Information and Communications Technology Department (ICTD) by providing ready staff assistance to those affected by weak internet connection.

**IV. Online one-stop hub of the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network)**

Are any law enforcement anti-corruption authorities from your country members of the Globe Network?

- a) What online ICT services or functionality would be the most useful to your practitioners on the GlobE one stop hub, as a resource for international cooperation?
- b) Has(ve) your GlobE member authority(ies) registered as GlobE Threema users(s)?
  - If yes, does the GlobE Threema address their needs or a secure communication platform?
  - What GlobE Threema functionality do they find the most useful for intentional cooperation?
  - Are there other features that your member authority(ies) require from a secure communication platform?

Please elaborate as necessary.

Answers:

**DBM:** N/A

**SEC:**

This answer may be best addressed by the AMLC-FIU as well as other competent authorities.

## V. Others

9. Please provide any other information you consider relevant to your country's legal framework and practices in connection with establishing an effective use of ICT's in the international cooperation system that was not highlighted above.

Answers:

### **DBM:**

The modernization of the procurement provides a fully electronic procurement system with functionalities from planning to contract implementation. The Electronic Bidding will cover the e-Bid submission including the creation of electronic bid forms, creation of bid box, delivery of bid submissions, and notification to the supplier of receipt of bids, bids receiving and electronic bid evaluation.

### **SEC:**

As to ICT hardware and software, these are mainly regulated by the Philippine Department of Information and Communications Technology (DICT).

As to the security and confidentiality aspect of information transmitted through ICTs, the Philippine National Privacy Commission (NPC) is the main regulator agency which has jurisdiction over the same

### **COA:**

The Commission on Audit (COA) is a member of the International Organization of Supreme Audit Institutions (INTOSAI) Working Group on IT Audit (WGITA) and Working Group on Big Data (WGBD):

1. The WGBD is a specialized working group approved by INTOSAI under Strategic Goal Three: Knowledge Sharing and Services. Its objective is to identify the challenges and opportunities faced by SAIs in the era of big data; to summarize the knowledge and experience in the field of big data audit; and strengthen relevant bilateral and multilateral technical cooperation.<sup>1</sup>
2. The WGITA aims to support SAIs in developing their knowledge and skills in the use and audit of information technology by providing information and facilities for exchange of experiences, and encouraging bilateral and regional cooperation.

The Working Group's aims include:

- Supporting and promoting the development and transfer of knowledge;
- Publishing an IT Audit Directory on the basis of members' contributions;

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<sup>1</sup> <https://www.intosai.org/what-we-do/knowledge-sharing/working-groups>

- Promoting discussion, development and dissemination of standards and guidelines among the members, and encouraging bilateral and regional cooperation and exchange of experiences;
- Promoting local and regional training activities for auditors and audit directors;
- Assisting individual SAIs to locate expertise within the member countries for bilateral exchange.<sup>2</sup>

As a member of these working groups, COA participates in various meetings/workshops/seminars and contributes to the preparation of work plans. The Commission also actively responds to various questionnaires/surveys and requests for information on experiences and good practices.

The INTOSAI Working Groups utilizes email/messaging technologies; videoconference platforms/services; word processing technologies and available public websites.

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<sup>2</sup> <https://www.intosai.org/what-we-do/knowledge-sharing/working-groups>