

## Questionnaire

### Contact Information

Please provide contact details for potential follow-up questions. Contact details will be treated confidentially.

Country: Myanmar  
Government Agency: Anti-Corruption Commission Office  
Department: International Affairs and Prevention Department

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Please describe (cite and summarize) good practices your country has taken (or is planning to take, together with the related appropriate time frame) concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery.

States parties are invited to provide information on experiences, good practices and challenges concerning the following:

- I. **Understanding corruption risks and typologies during times of emergencies and crisis response and recovery, including transnational elements**
  1. Has your government assessed corruption risks during emergencies or crisis response and recovery, either through formal risk assessments or other informal means? Please provide details, such as key findings and mitigation plans. Please describe whether any other (existing) risk assessment has been carried out that is relevant to the emergency response (such as sectoral risk assessments in procurement, healthcare, infrastructure, etc.) and provide details.

In response to the emergency in Myanmar, contingency funds are earmarked to be diverted to Union Ministries and State and Region Governments in order to be used for unforeseen circumstances and disasters.

The Directive (1/2022) issued by the State Administration Council states that a limited tender system can be used for state-own projects that require high- tech and safety for populace, immediate response for disasters and emergency projects. Furthermore, in order to improve transparency and prevent corruptions, the instructions for the procurement of materials using the tender systems and the purchase of more than (100) million kyats have been publicized on the Ministry of Planning and Finance Website, along with the name of the purchasers, procurement methods, etc.

During the emergency response and rehabilitation are evaluated in accordance with orders imposed by the Anti-Corruption Commission, and the dangers of corruption in purchasing areas Emergency response measures, such as evaluation, health care, and infrastructure, are being implemented in accordance with the policies and guidelines laid down by the Ministry.

To protect the corruption, Myanma Railways (MR) expends the budget for the infrastructure and procurements in accordance with the rules and regulations, described by the Government, in making effort in the crisis responses and recovery for the matters about experiencing the natural disasters and accidents posed at our Myanma Railways (MR). Regarding that, the internal audits organized by Myanma Railways are inspecting these expenditures according to the instructions and procedures provided by the Financial Department, Myanma Railways (MR). During the inspection by the audits from the Office of the Auditor

General, Myanmar Railways doesn't fail to report about these expenditures.

During emergencies and crisis response and recovery of our country, the corruption risks are considered when conducting the risk assessment at the planning stage and then the audit programs are usually prepared. We examine whether the procurement processes are compliant with the State Administration Council's Instruction No. (1/2022), the Guidelines for execution of works by contractor and existing instructions or not. The following measures should be implemented to reduce the corruption risks,

- to set up a strengthen internal control system in departments and organizations;
- to implement the activities in compliant with the existing financial regulations, procedures, guidelines and instruction, and analyze the actual performance result;
- to audit the performance of the departments and organizations in accordance with The Auditor General of the Union Law, and give recommendations, and then follow up their implementation on those recommendations.

Assessment has done formally by ACC (Anti-Corruption Commission)

During time of emergency and crisis response, the measures to prevent corruption risks in the health care and procurement sectors are carried out as follows-

- The approval from central authorities to reduce the time of tender process was requested for conducting procurement processes in timely manner.
- In order to ensure that there is no shortage of pharmaceuticals and medical devices in emergency situations, a wider announcement

is conducted so that companies which have stock in-hand can submit a quotation.

- The preliminary selection process of tender or quotation has been carried out by the Department of Public Health's tender committee according to the rules and regulations.
- The selected tender or quotation has been submitted to the Ministry of Health's executive committee meeting and the final selection has been carried out by the committee.

To address corruption risks and ensure transparency during time of emergency and crisis response, procedures of government procurement and selling of state-owned properties follow the anti-corruption directives, notifications and announcements.

- During the time of emergencies, a monitoring system has been set up to ensure the right quantity and quality of stocks beings distributed to the right places.
- An audit mechanism has been carried out by the both internal audits and audits from the Office of the Auditor General.
- The requested budget for the provision of emergency health services in State/Region and Township levels has been approved and distributed in timely manner during times of emergencies and crisis response and recovery.
- Participating in anti-corruption advocacy and prevention activities of Ministry of Health's Corruption Prevention Unit-CPU.

2. Please list the main typologies of corruption (corruption risks) you have identified in your country's emergency or crisis responses and recovery. You may select from the list below, and add any additional risks not listed:

### **Public Procurement**

- Bribery of procurement officials
- Excessive use of non-competitive bidding procedures, including by single or limited source tendering, with limited safeguards
- Improper application of emergency procurement procedures allowing for expedited delivery of goods and services
- Bid-rigging (e.g., use of inflated prices)

### **Misappropriation of Emergency Relief Funds**

- Non-eligible beneficiaries circumventing rules and regulations, including through bribes, to obtain access to relief and support
- Diversion of donations away from intended beneficiaries
- Exploiting international financial assistance related to emergency relief or other types of support (such as donor funding or technical assistance)
- Embezzlement of profit gained from the sale and distribution of emergency supplies
- Manipulation and inflation of claims for economic relief
- Fraudulent billing for the provision of goods and services
- Diversion of donated equipment / supplies to the black market
- Companies hoarding / not discharging support received from the government

### **Conflicts of Interest**

- Conflicts of interest between suppliers and authorities in procurement processes
- Political appointees or persons entrusted with prominent public functions involved in, or the beneficial owners of, companies bailed out by the government or companies involved in procurement processes
- Support packages distributed according to ethnicity and / or political affiliation

### **Misuse of Information**

- Use of social media to spread misinformation; undertake fraudulent activities such as phishing, cyber-criminal fraud

### **Inadequate Reporting / Protection Mechanisms**

- Inadequate reporting / protection mechanisms for whistle - blowers and witnesses
- Restricted ability to report potential corrupt activities

### **Other Corruption Risks**

- Extensive use of government emergency powers and regulations, with insufficient controls, consultations and / or guidance
- Provision of counterfeit good and supplies
- Fraudulent or illicit production of goods, including research
- Impeded anti-corruption enforcement actions during emergency and crisis responses due to corruption
- Impeded provision of international cooperation (e.g. mutual legal assistance) due to the emergency or crisis due to corruption
- Links between corruption and other forms of crime, in particular organized crime and economic crime, including money – laundering

In the events evacuating the train passengers with the help of motor vehicles during the train accidents, we have to accomplish the rescue measures with the assistant of the local transportation organizations which are more useful than the train in the place where the train accidents happen. That is why the rent may be much more than the average.

When the rail lines, the stations and the office buildings destroyed due to the natural disasters are reformed and repaired as quickly as possible at real time with the tools and materials purchased with the price issued by the local authorities, the costs may be much more than the average.

With the reason that Myanmar Railways (MR) implements and accomplishes the real time recovery tasks in respond to those crises, especially train accidents and natural disasters, with the help of local authorities, it may be weak in implementing with the specifications of the public knowledge in the mentioned events. Therefore, the Department and the in-charge persons are wrongly propoganded they have in corruption from the social media in several ways on the weakness of the transparency.

Please list any other typologies or risks:

The risk of corruption (forms and scopes) does not exist as the Myanmar Port Authority for international fundamental principles, other forms of circumstances.

Currently, we are following the orders issued by the Anti-Corruption Commission and the instructions of the government and ministries.

Actionable techniques to support the private sector in identifying and mitigating corruption risks are being implemented in accordance with the directives issued by the Anti-Corruption Commission and the directives of the Government and Ministries.

In emergency, emergency response and rehabilitation situations, we are complying with the instructions of the government and ministries to prevent corruption from affecting women and vulnerable groups.

During times of emergency, emergency response and other situations, international cooperation is needed to better respond to the dangers of corruption. If we cooperate not only with the orders/instructions issued domestically but also with the methods issued internationally, we will be able to respond more to the risks of corruption in emergency situations and emergency responses than in other situations.

Myanma Railways manages and supervises the respective departments in the use of the budget for the maintenance and the procurement according to the law, rules, orders and instructions not only in the time frame but also in the emergencies. The procurement process is as follows:

- The suppliers propose the excessive prices from the average for tendering of the limited sources that are necessary only for the maintenance of the locomotives and coaches, useless for the others. Moreover, there are a few bidders to supply for those limited sources. Therefore, there may be corruption and bribery to the authority, decisive and recommending persons and the price assessment to take advantage for the sake of benefits.



3. Did any of the corruption risks (typologies) identified in question 2 entail an international element? For example, fraudulent or collusive procurement practices involving foreign or international bidders or suppliers, donors or international financial institutions, aspects of transnational bribery; diversion of resources, assets or persons across borders)? Please be as specific as possible and provide details and examples. If the information is sensitive, please describe the typology or give anonymized examples.

No Comment

4. Please describe whether the corruption risks identified in question 2 appear to be longer-term trends. Have they required new or strengthened anti-corruption actions as a result? If so, please elaborate.

No Comment

5. Please describe any measures taken to support the private sector in identifying and mitigating corruption risks. This may include particular risks associated with supply chains and procurement processes.

It will need to enact the Procurement Law to support the private sector in identifying and mitigating corruption risks which include particular risks associated with supply chains and procurement processes.

The measures to support the private sector in identifying and mitigating corruption risks are to conduct more the following activities:

- anti-corruption workshop
- distributing pamphlets, and

- the awareness program on the Anti-Corruption Law and the Anti-Corruption Rules.

6. Please provide an overview of efforts taken to understand the particular impact corruption in times of emergencies and crisis response and recovery may have on women and marginalized and vulnerable groups. If possible, please include reference to any research, analyses or assessments undertaken in this regard.

In times of emergencies and crisis response and recovery, the particular impact corruptions that may have on women and marginalized and vulnerable groups are lack of full availability of supplies as specified quality/ quantity.

7. Is there a greater need for international cooperation in responding to corruption risks in the context of emergency and crisis responses than in other situations? Why, or why not?

In responding to corruption risks, it shall need for international cooperation in supporting technical and finical assistances.  
It should be focused more completely and systematically.  
International Cooperation is needed if corruption is related in the context of international partners.

**II. Addressing corruption during times of emergencies and crisis response and recovery at the domestic level**

1. Please describe the anti-corruption controls, safeguards and / or measures put and place to address the corruption risks identified above in question 2. Please highlight any special measures that may have been introduced in response to a particular emergency, and whether those measures may be

useful for future crises. These may include anti-corruption task forces, the use of real-time audits, transparency portals and specific reporting channels for reporting corruption in the context of emergencies, including in the areas below.

The guidebook for investigation during the pandemic period has been developed by ACC.

During this period of Covid-19 pandemic, the functions on the corruption prevention and investigation processes are being undertaken by applying the standard operation procedures in accordance with the guideline of the Ministry of Health.

Matters controlled by the laws and regulations; for example, Natural Disaster Management Laws, the Procedures on Tender not (the President Office's notification number. 1/2017 and the Chairman Office SAC's notification number. 1/2022), Forming District/ Township Natural Disaster Management Committees to ensure that aid actually reaches the affected people, adopting the schemes for natural disaster prevention and regular reports, arranging people's feedback program that take public response via SMS (1111).

Anti-corruption controls to address corruption risks; The safeguards and measures that can be implemented are in accordance with the directives issued by the Anti-Corruption Commission and the directives of the government and ministries.

To safeguard and control the being potential for the corruption in the above-mentioned clause (1), many supervising task forces for use of emergency fund will have to organize in advance according to the respective divisions and factories.

The in-charge officials from the respective divisions and factories will have to manage in advance, plan in details and report to implement the terms of references and to take efforts the duties issued by those task forces for getting the necessary approvals and evidences to purchase the procurement to prevent from the corruption.

In case of the corruption, to report particularly and to expose and complain those who are responsible, the in-charge officials will have the action plans in that the contact persons, contact numbers, the complained center and the measures such as the data are to be compiled and issued by the anti-corruption tasks forces under Myanmar Railways (MR).

No corruption during times of emergencies and crisis response in FDA. MOH set corruption prevention and carry out according to proactive beneficiary engagement mechanism (PBE).

The anti-corruption controls, safeguards and / or measures put in place to address the corruption risks identified above in question 2 are as follows;

- to set up a strengthen internal control system in departments and organizations;
- to implement the activities in compliant with the existing financial regulations, procedures, guidelines and instruction, and analyze the actual performance result;
- to analyze the disastrous consequences and the requirements;
- to choose the types of aid according to the needs of the recipients;

- to include the commitments of both parties exactly in a contract regarding the support received from the donors;
- to store the high-quality materials that meet the requirements systematically in accordance with the instructions and procedures;
- to distribute the supplies to the public directly or by the most proper way;
- to report how to manage the supply and use of those.

Anti-Corruption Law was enacted on 7-8-2013 by Pyihtaungsu Hluttaw. It is the primary tool for prosecuting acts of corruption in Myanmar.

### **Public procurement and the management of public finances**

2. Please describe measures taken to develop and / or further strengthen accountability and transparency in public procurement during times of emergencies and crisis response and recovery. These may include:

- The development of specific guidelines, circulars or memorandums for procurement in emergency contexts;
- The development of new codes of conduct or guidelines for procurement personnel during times of emergencies and crisis response and recovery;
- Requirements to disclose potential and real conflicts of interest;
- Reforms of legal, regulatory and policy frameworks governing public procurement;
- Requirements to collect and publish the beneficial ownership information of entities contracting with the government;

- Requirements to cross-check information available on the ultimate beneficial owners of companies involved in procurement processes;
- Publication of information on the whole procurement cycle, from tender to delivery (including type and amount of contract, reference information for the awarded company, beneficial ownership information, validation of delivery, etc.);
- Specific labels or “tags” for procurement contracts to facilitate the monitoring of contracts associated with a particular emergency or crisis;
- Measures to ensure procurement in emergency contexts have appropriate oversight and sanctions, including the potential disqualification of companies;
- Measures to help ensure that compliance programmes and safeguards are in place for bidders;
- The use of online portals that afford opportunities to track procurement contracts through the whole procurement cycle;
- Feedback mechanisms for monitoring by groups outside the public sector, such as civil society organizations.

In order to be able to anticipate natural disaster risks and make protective measures in a systematic manner, A National Disaster Management Committee was formed to quickly and efficiently carry out relief and support activities in the event of natural disaster. These activities have enhanced the responsibilities and accountabilities.

As the development of specific guidelines for procurement in emergency contexts, “Exemption from Tender Process in acquisition of

Pharmaceutical, Medical Products and Services related with COVID-19” was issued.

The State Administration Council’s Directive 1/2022 paragraph 7(d) stated that the procuring entities can comply restricted tendering when the specific matter occur during Natural disaster and emergency situation and paragraph 8(c) stated that the procuring entities can comply direct contracting when an emergency occur.

Moreover, thresholds for tender invitation are released in The State Administration Council’s Directive 1/2022 paragraph 10.

Myanma Railways organize the respective committee in accordance with the instructions for purchasing the materials according to the fiscal year and emergency periods.

Regarding the use of budget, Myanma Railways follow up the inspection of Internal Audit, the inspection led by Head of Financial Department and the inspection the Office of the Audit General.

No corruption during times of management of public finance in FDA. Now doing according to 1/2017 3/2018 1/2022 guidelines.

3. Please highlight 2-3 good practices and challenges faced when developing, implementing and / or monitoring the measures you have identified in question 2

Regarding with 2-3 good practice and challenges faced when developing, implementing and / or the measures in question 2 are as follows:

- The development of new codes of conduct or guidelines for procurement personnel during times of emergencies and crisis response and recovery;
- Publication of information on the whole procurement cycle, from tender to delivery (including type and amount of contract reference information for the awarded company, beneficial ownership information, validation of delivery, etc.);
- Feedback mechanisms for monitoring by groups outside the public sector, such as civil society organizations.

The development of specific guidelines, circulars or memorandums for procurement in emergency contexts;

Reforms of legal, regulatory and policy frameworks governing public procurement;

Measures to ensure procurement in emergency contexts have appropriate oversight and sanctions, including the potential disqualification of companies;

#### **Good practices**

- transparency, accountability and responsibility
- conducted the public procurement based on the published guidelines
- observed the matters not compliant with the instructions
- remedied the problems/ issues occurred

#### **Challenges**

- time limitation in preparing and implementing the guidelines and procedures



4. Were internal audit systems, real-time audit mechanisms and/or other mechanisms used to help monitor and oversee the management of public resources during times of emergencies and crisis response and recovery? If so, please describe. Please provide any information on good practices and / or lessons learned.

In distributing foods for vulnerable people during the Covid-19 pandemic, auditing activities had been conducted. As for the lesson-learn, it should have well-preparation for information and data to be more effective and efficient.

In relation to the management of public resources during the emergency period and crisis response and recovery, the office of the Auditor General of the union and the office of the Auditor Generals of the states and regions in nationwide conduct the annual auditing to help monitor and oversee the management of public resources.

All of the public expenditure is audited monthly by the internal audit and annual by the office of the Auditor General of the Union and the office of the Auditor Generals of the states and regions. As such, the Office of the Auditor General of Union and the office of the Auditor Generals of the states and regions are also inspecting the completion of the implementation of government organizations and entities.

Management of public resources (funds, materials) during emergency and emergency response and recovery periods. There are necessary operational mechanisms and audit systems to conduct monitoring and evaluation. As the current Myanmar Port Authority, it has been found to be free of corruption as it has followed the orders and instructions issued by the Anti-Corruption Commission.

During times of emergencies and crisis response and recovery, we have the audit system and required mechanisms in management and monitoring the public resources (fund, property).

Government established the Covid-19 Economic Relief Plan (CERP) for the purpose of COVID-19 Protection, Control and Treatment. We conducted the audit whether the performance of departments and organizations are in line with the CERP plan or not. Examples of good practices and lesson learned are as follows;

- procurement processes are conducted in accordance with the published procurement procedures and instructions; the documents relating supply of finance/ property are maintained systematically and completely; the closing inventories can be reduced because of the purchase and distribution of supplies as per requirements.
- the audit reports were sent to the audited entities and these entities took the corrective actions for the recommendations as per audit reports.

Internal Audit systems were well established and functioning to monitor the office management system. Real-time Audit is now being introduced and initiated.

5. Please describe what measures or initiatives could be used/have been used to help ensure transparency in the allocation, use, distribution and management of the national budget during times of emergencies and crisis response and recovery. These may include dedicated budget lines,

measures to present budget items, public hearings or rendering such information accessible to the public.

A contingency fund is prescribed in the state's annual budget to be used for unforeseen circumstances. The fund usage is decided by the Union Government meeting.

The procurement used by contingency fund shall be followed in accordance with the directive of (1/2022) issued by the State Administration Council.

Regarding COVID-19 Economic Relief Plan, Government provided cash and in-kind food (the basic consumer goods (5) items) to vulnerable households for Nay Phi Taw Council, State and Region and exemption of electricity tariffs to the public in the Thanintharyi State from April to 15th June, 2020.

The commercial loan to Microfinance Institutions, concessional loan to the Tea shops and Cafes and small restaurants, movie, music, art and Medias, and loan to Myanmar Airways International, Covid-19 Special Relief Loan to the farmers through Myanmar Agriculture Development Bank (MADB) have been provided.

Regarding COVID-19 Economic Relief Plan 2.1.1(A) and 2.1.1(C), kyat 200 billion was transferred through the Myanmar Economic Bank to set up the COVID-19 Fund for lending to Cut Making Package (CMP), Hotel & Tourism and Myanmar Small and Medium and Enterprises (MSMEs) business from Revolving Fund (RF) and General Reserve Fund (GRF).

Natural Disaster Management Fund are granted for COVID-19 prevention, control and treatment.

During times of emergencies and crisis response and recovery,

- the budget law (draft) is published in the national newspapers, citizen budget documents and Ministry of Planning and Finance's website to get recommendations from the public regarding management, allocation, use and transparency of budget.
- providing information on the implementation of the budget through the explanation by the respective departments/ organizations via the media platform and the uploading of the information on their websites.

Doing according to 1/2017 3/2018 1/2022 guidelines and PBE mechanism.

#### **Inter - institutional coordination at the national level**

6. Please outline measures which could be taken or have been taken to enhance coordination among institutions at the national level involved in response and recovery efforts, such as Memorandums of Understanding, data sharing agreements, standard operating procedures or other formal and informal mechanisms that enable institutions to share information and respond in a coordinated manner to corruption risks in the context of emergencies.

People's feedback program has conducted to take public response via SMS (1111).

In the case of emergency and emergency response and recovery period, we are following the orders and instructions issued by the Anti-Corruption Commission and the instructions from the government and ministries as cooperation measures between the organizations.

Myanma Railways cooperate with the local authorities, local rescue forces, volunteers and transportation organizations in emergency respond during the emergency period to prevent and fight the corruption.

Moreover, Myanma Railways have managed and notified its respective divisions to have the plans for contacting and complaining the conditions of the being potential corruption in respond to the emergency.

Issuing the standard operating procedures and taking measures and processes regarding financial and operational monitoring by representatives of departments/organizations for the activities to be conducted during times of emergencies, for example, National-level Central Committee for Prevention, Control and Treatment of COVID-19, Disaster Management Committee, Working Committee to address the impact of COVID-19 on the national economy.

### **Transparency measures, including access to information**

7. Does the government have specific measures in place to identify individuals who may be involved in, or who help facilitate, corrupt acts? Such measures may include requirements to disclose beneficial ownership information and requirements to make such information accessible to law enforcement or other authorities. For example, information contained in beneficial ownership registries or information contained in open tender portals may be used by supreme audit institutions and other oversight bodies to audit, and inform, response and recovery measures.

As the Myanma Port Authority, in matters related to corruption, information about the real beneficiaries. The use of open tender systems in matters relating to the application of statutory laws; disclosure of

information on beneficial ownership; auditing; Matters such as sending information are carried out.

Measures taken by the government to identify individuals who may be involved in, or who help facilitate, corrupt acts are as follows:

- application of open tender systems,
- announcement of the successful bidders openly,
- explaining to the unsuccessful bidders the reasons they were not chosen,

prohibiting the successful bidders from future bid competitions and adding them to a blacklist for not performing the task in place.

Doing according to PBE mechanism.

8. How does the government ensure that emergency measures are limited in duration and scope? Please describe any measures taken to mitigate the use of broad emergency executive authority, such as legislative oversight, regular reports to committees, and review and monitoring mechanisms.

As the Myanmar Port Authority, legal monitoring of emergency measures and hardship restrictions; sending regular reports to the committee; Conduct emergency management such as review mechanisms.

The National Management Committee and Region/State/District and Township Level Disaster Management Committees were established by the government as a response to the difficulties with the emergency response preparedness plan. The management committees are responsible to submit the operational reports to the National Committee step by step. (It is mentioned as an example.)

Doing according to PBE mechanism.

9. Have your authorities applied or strengthened whistle-blower protection or reporting systems, including those that afford opportunities for confidential and/or anonymous reports, and how to address such reports?

We have published complaint point on our website, and established a particular complaint center in the One Stop Shop Offices (OSS) of the respective townships.

The Myanma Port Authority is following the procedures established by the government and ministries in writing anonymous whistleblower reports and acting on those reports in protecting whistleblowers.

While the whistleblower protection law is still being implemented, the authorities maintain the whistleblower's identity in confidence and analyzing the validity, relevance and confirmation of the complaint letters are undertaken as necessary.

Doing according to PBE mechanism.

#### **Use of information and communication technology tools**

10. Has the government used information and communication technology tools to build, implement and /or maintain resilient emergency response systems? If yes, please explain what types of tools have been used and include relevant links, if possible.

Government agencies and relevant ministries are using ICT tools to emergency response system. These include radio units for emergency communications, disaster related early warning systems and dedicated emergency communication systems using satellite technologies. MoTC has also facilitated dissemination of emergency warning/ response information by means of SMS over mobile operator networks. Moreover, in response to

the recent outbreak of COVID-19, various ICT tools such as SMS, social media platforms and websites are increasingly utilized. ICT applications such as mobile applications and web apps are also used for tracking, tracing and dissemination of pandemic information.

There are information and communication technologies used in emergency response systems and emergency management matters.

In case the corruption risks, Myanmar Railways have managed how to deal with the risks in advance to use the mailing address, Fax numbers, mobile numbers and communication devices with frequency rate permitted under the communication law in respond to the emergency conditions.

Yes, the government has. These are;

- the National Newspapers,
- Ministries' website,
- blogs,
- social media,
- SMS.

Doing according to PBE mechanism.

11. If possible, please describe the benefits and challenges of using the tools identified in 10?

**Benefits**

- Information can be relayed at real time, with ability to reach mass of cost-effective means
- The tools are accessible to the large populations who have access to mobile network coverage.



- The information sharing over ICT platform have large network effect, and can reach a larger percentage of the population compared to traditional media.

### Challenges

- Disparity between those who have access to ICT tools and those who don't have is still large.
- Digital literacy and available ICT tools in rural areas still prohibit citizens there to access the information.
- Disinformation and misinformation can sometime replace the genuine information relating to emergencies (especially COVID-19 pandemic related information) that can confuse and mislead the public.
- Emergency communications systems designed to use during disaster/ public emergencies are expensive and has limited usage.
- Appreciation of ICT tools (such as COVID tools and trace apps) are low, and its usage is limited.
- As the Myanmar Port Authority, through the website and The use of e-mails and the use of information and communication technologies provide faster and more accurate information in handling emergency responses.

Using information and communication technology tools to build, implement and /or maintain resilient emergency response systems, the challenges are as follows:

- not fully reliable on information
- spreading the fake news

- misunderstanding to users

the benefits are as follows:

- actions taken and preventive measures can be conducted in timely manner.
- the ability of emergency response personnel can be improved for management.
- transparency, accountability and responsibility are strengthened more and more.
- circumstances of corruption can be prevented and reduced.

12.Has the government used information and communication technology to help manage and oversee public procurement during times of emergencies? If yes, please explain the particular tool, its benefits and challenges and include relevant links, if possible.

Most of the government agencies utilize ICT tools for transparency of the procurement process (invitation to tender through Ministry/Department webpage, availability of complaint and redress mechanism through electronic and online platforms), utilization of online collaboration tools (such as video conferencing tools and project management and financial management platforms) are widely used.

**Benefits**

- Can increase transparency and efficiency
- Can have more outreach than traditional means
- Can be accessed from out-of-office

### Challenges

- Ability to use the project management tools and financial management applications is limited.
- As the Myanmar Port Authority, in monitoring and managing procurement issues during the emergency period, through the Website and by using e-mails and using information and communication technologies, we get faster and more accurate information.

Websites make it easy to access the information needed for procurement. However, accessing that information could result in out-of-date information. Additionally, the type, cost, and quality of acquired goods may vary.

Doing according to 1/2017 3/2018 1/2022 guidelines and PBE mechanism.

13.Has the government used information and communication technology to promote transparency in the management of public finances during times of emergencies and crisis response and recovery? If yes, please explain the particular tool, its benefits and challenges and include relevant links, if possible.

As the Myanmar Port Authority, in order to ensure transparency in the management system of public money during the emergency, through the website and by using e-mail and using information and communication technologies, we get faster and more accurate information. There are no difficulties.

The following advantages may result from using information and communication technology:

- easily access the beneficiaries' information
- rapid support the financial supplies
- few human resources
- send an SMS and phone call of complaint

And the following challenges may occur;

- limited access to internet connection
- a little bit of knowledge in IT

### **Engagement of actors outside the public sector**

14.If possible, please provide an overview of how the government has partnered with, or encouraged the participation of, actors outside the public sector to help monitor and support oversight of government actions during times of emergencies and crisis response and recovery. Please also include any future initiatives planned.

In order to inform the public in accordance with the orders/instructions set by the government and the orders/instructions set by the ministry in a timely manner, we are working together through the Myanmar Port Authority's website through an online system.

Myanma Railways cooperate with Non-Governmental Organizations (NGOs) and Local Authorities in experiencing the train accidents and natural disasters responding to the corruption during times and crisis response and recovery, not to take advantage for the outsiders and insiders.

Regarding monitoring and supporting oversight of government actions during times of emergencies and crisis response and recovery; the following actions taken are submitted to Working Committee to address the impact of COVID-19 on the national economy;

- providing loan guarantees to Myanmar entrepreneurs in the private sector
- tax reduction and exemption
- relaxing procurement procedures
- As the measures, policy affairs to be participated by every citizen with common sense as per CERP and financial arrangements to be made under specific circumstances should be reviewed on a timely basis and modified accordingly.

15. Are there any policies or initiatives that particularly facilitated the engagement of actors outside the public sector in these contexts? If yes, please describe.

Cooperating online through the Myanmar Port Authority's website.  
In order to facilitate the engagement of public sector actors, the Covid-19 Economic Relief Plan is being developed and implemented.

**III. Responding to corruption during times of emergencies and crisis response and recovery, including through international cooperation**

1. If possible, please provide examples of detected or suspected instances of domestic or transnational corruption and how these were identified in your country. If the information is sensitive, please describe the typology or give anonymized examples.

Following the orders issued by the Anti-Corruption Commission and the instructions of the government and ministries.

Myanma Railways will submit and report to the High-Level Authority if there will need excessive assistants than Myanma Railways can be done by itself responding to corruption during times and crisis response and recovery.

2. How did the government respond? Has your country taken any steps to identify, investigate or prosecute corruption in emergency and crisis responses and recovery? Examples may include an interagency cooperation taskforce among anti-corruption authorities, analysis of suspicious transaction or financial disclosure reports, greater cooperation across international borders, strengthening investigation and prosecution capacity, etc.

Following the orders issued by the Anti-Corruption Commission and the instructions of the government and ministries.

3. In its response, did your authorities find it necessary to seek or request international cooperation (e.g., mutual legal assistance or direct law enforcement cooperation)? Please provide details and examples. How effective do you believe the cooperation was, and what were the main challenges? Was the assistance provided, were there any obstacles?

No Comment

4. Has your government received any requests for international cooperation from other countries seeking to identify, investigate or prosecute corruption during times of emergencies and crisis response and recovery? Please provide details and examples. How effective do you believe your authorities

cooperated, and what were the main challenges? Was the assistance provided, were there any obstacles?

No Comment

**IV. Mechanisms to respond to corruption during times of emergencies and crisis response and recovery through international cooperation**

1. Have your authorities had any practical experience in sharing information including spontaneously, with authorities in other countries concerning suspected corruption in the context of emergency or crisis responses?

Following the orders issued by the Anti-Corruption Commission and the instructions of the government and ministries.

Myanma Railways follow up the instructions and submit at the real time to the High-Level Authority for the findings of the corrupting foreign company, private entrepreneurs related to Myanma Railways.

2. Has your government used electronic communication channels or networks, including those of INTERPOL or the GlobE Network, that enable the prompt exchange of information for the investigation and prosecution of corruption offences in the context of emergency and crisis responses?

No Comment

3. Are you aware of any examples of joint or parallel investigations or the bilateral sharing of capacity and expertise on investigating and prosecuting corruption in this context?

No Comment

4. Have you taken additional measures to analyze asset declarations, financial disclosures and/or suspicious transaction reports during times of emergencies or crisis response and recovery?

No Comment

5. Have you experienced challenges in accessing adequate, accurate and up - to-date information on the beneficial ownership and control of legal persons in other jurisdictions? In your view, what may be improved to enable effective, timely access to such information?

No Comment

6. Have you experienced challenges in verifying assets beneficially owned by public officials abroad? In your view, what may be proved to enable effective, timely access to such information?

No Comment

7. Have there been any efforts to support anti-corruption practitioners and law enforcement authorities in your country, including human resources



management and opportunities for capacity-building and peer-learning on methods, tools and technologies for countering corruption in the context of emergency and crisis responses?

No Comment

8. In your view, are there any unique aspects of requesting or providing international cooperation in emergency and crises responses as opposed to regular cases?

No Comment

9. Does your government have any experience in receiving or providing international financial assistance (such as donor funding or technical assistance) to address emergency situations? In your view, what are effective mechanisms to strengthen integrity and prevent corruption in the provision of emergency relief funds? What should be improved?

No Comment

**V. Effectiveness of international frameworks to respond to corruption during times of emergencies and crisis response and recovery, including through international cooperation**

1. Are there any longer - term trends related to addressing corruption in emergency and crisis responses that require a new or improved anti-

corruption approach in the future? Or that require greater international cooperation or new ways of working together? Please explain.

Following the orders issued by the Anti-Corruption Commission and the instructions of the government and ministries.

Myanma Railways will join the workshops held by the Anti-Corruption Commission. If there are the conditions to cooperate with the international organizations and countries, we will implement through the guidance of the High-Level Authority.

2. Are there any measures or processes that you would consider good practices to facilitate international cooperation and rapid exchange of information in emergency and crisis situations? Examples could include measures to accept electronic copies of mutual legal assistance requests and prioritize requests concerning corruption during times of emergencies and crisis response and recovery. Has your country had any experience in this regard?

No Comment

3. How should countries strengthen collaboration to address corruption risks arising in emergency and crisis situations, with respect to international cooperation? Please list up to three measures countries could apply that would strengthen international cooperation in this regard.

No Comment

4. Have there been any efforts by your government to enhance cooperation with multilateral, international or regional bodies to address corruption and other forms of crime during times of emergencies and crisis response and recovery?

No Comment

## VI. Data collection

1. Have your authorities collected data or statistics to track and analyses trends concerning international cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery. Are these publicly available?

To prevent corruption during emergency and emergency response and recovery periods; to reveal Information is publicly available to assess the direction of international cooperation trends to investigate and prosecute.

Responding to corruption during times and crisis response and recovery, Myanmar Railways continue watching out the situations being potential for the corruption. In case of the corruption, Myanmar Railways complain the anti-corruption through the mailing address, Fax numbers, contact phone numbers and the complaint centers and expose and take actions those who are responsible.

2. Have your authorities collected data or statistics to track and analyses trends and links between corruption and other forms of crime? Are these publicly available?

Data are publicly available to assess potential trends in the relationship between corruption and other forms of crime.

Please outline actions required to ensure or improve the implementation of the commitments contained in paragraph 23 of resolution 9/1, as well as any challenges faced or technical assistance required.

Please describe (cite and summarize) measures/steps your country has taken, if any (or is planning to take, together with the related appropriate time frame) to explore and enhance knowledge of the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering, including during times of emergencies and crisis response.

States parties are invited to respond to the following questions:

**I. Analyses and assessments to explore and enhance knowledge of the links between corruption and other forms of crime**

1. Has your government undertaken any analyses or assessments to better understand the links between corruption and other forms of crime, including typologies of crime and how corruption may be used to facilitate and enable organized crime?

No Comment

2. Has your government taken any measures to strengthen legal, regulatory and policy frameworks that recognize how corruption and other forms of crime may be linked and that call for coordinated anti-corruption action?

No Comment

3. Does your country's national risk assessment or other policy framework to prevent and combat money-laundering recognize and address the risk of laundering of proceeds of corruption and other economic crime?

No Comment

**II. Specific mitigation measures to address corruption and other forms of crime during times of emergencies and crisis response and recovery**

1. Have your country's authorities undertaken any investigations into unfair commercial practices, such as price-gouging and the manipulation of prices of essential goods and services, or bids, or abuse in the allocation, distribution, use and management of relief and recovery funds? Have your country's authorities undertaken any investigations into corruption during times of emergencies and crisis response and recovery, such as bribery of procurement or other public officials, embezzlement of profits, diversion of resources and conflicts of interest? Have any measures been applied to freeze and seize related proceeds of crime?

No Comment

Please outline actions required to ensure or improve the implementation of the commitments contained in paragraph 22 of resolution 9/1, as well as any challenges faced or technical assistance required.