

Good Practices and Initiatives in the Prevention of Corruption



UNDP methodology in strengthening the capacity of ACAs in implementing preventive AC policies and practices

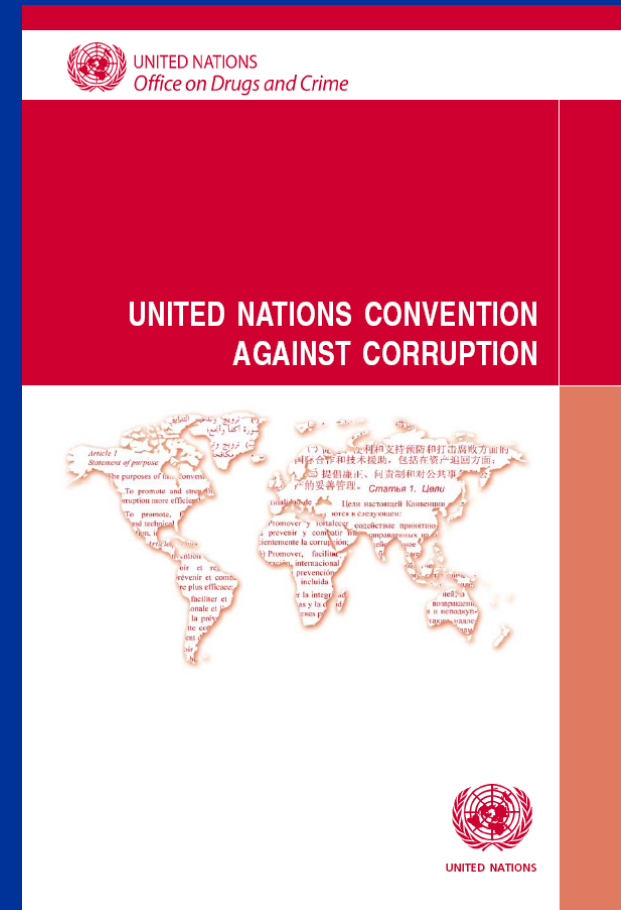


Presentation by Anga R Timilsina, Programme Manager - Anti-Corruption, Democratic Governance Practice, UNDP
22 August 2011, Vienna, Austria

UNCAC Articles on ACAs



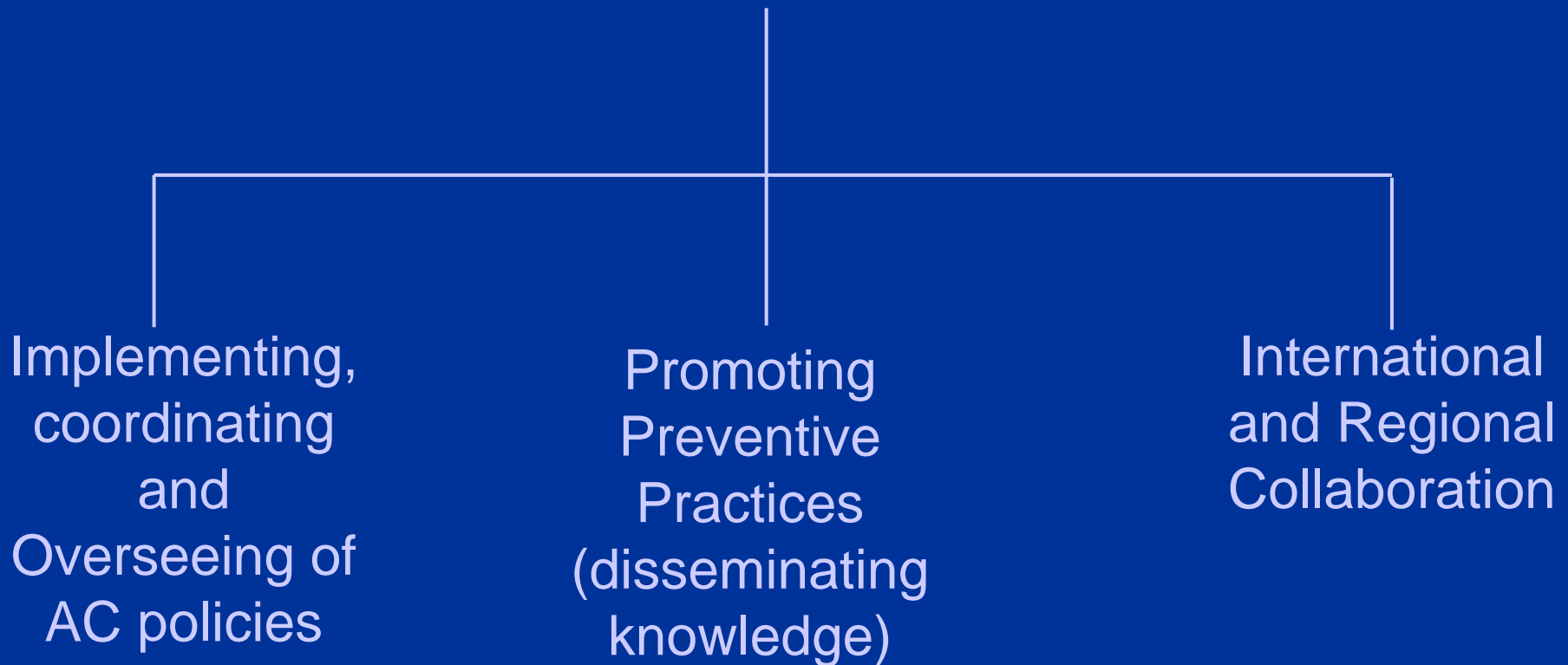
- **Article 5:** develop and implement or maintain effective, coordinated anti-corruption policies
- **Article 6:** ensure the existence of an independent body or bodies, as appropriate, that prevent corruption
- **Article 36:** ensure the existence of an independent body or bodies or persons specialized in combating corruption through law enforcement.



Article 5 of UNCAC



Preventive Anti-Corruption Policies and Practices (The Wider Framework)





Have the ACAs been effective in
implementing Article 5?

Example: In Eastern and Southern Africa: UNCAC Ratification and Establishment of Dedicated ACAs



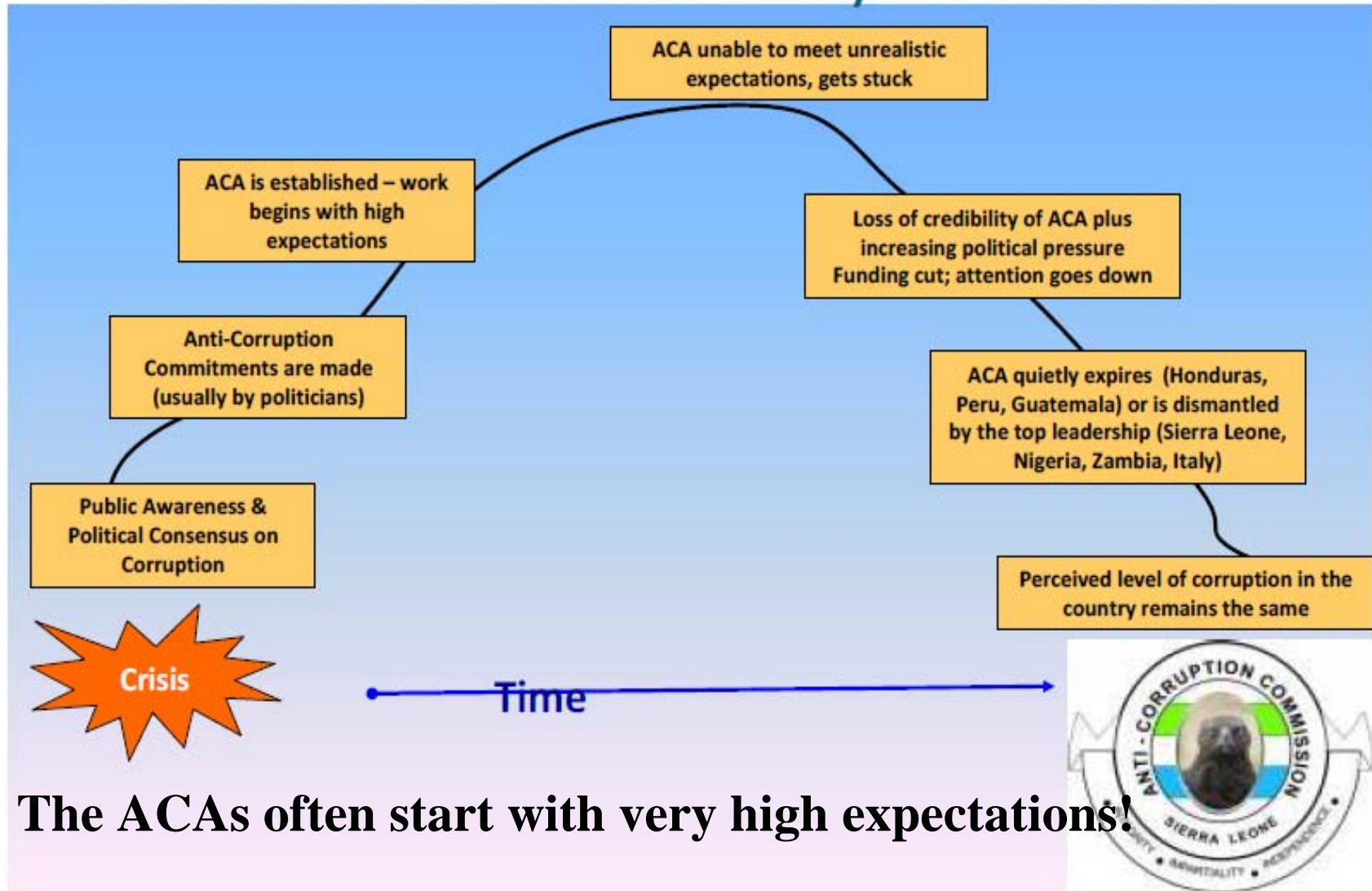
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UNCAC ratification	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y
Anti-Corruption Body	Y	Y	Y	?	?	?	Y	Y	Y	Y	Y	Y	Y	Y	?	?	?	Y	Y	N	Y	Y

Most of them also have National Anti-Corruption Strategies, Plans or Policies (e.g., Ethiopia, Kenya, Lesotho. Madagascar, Malawi, Mozambique, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe)

Academic critics have observed ‘limited impact’



Too Often Observed lifecycle of ACAs



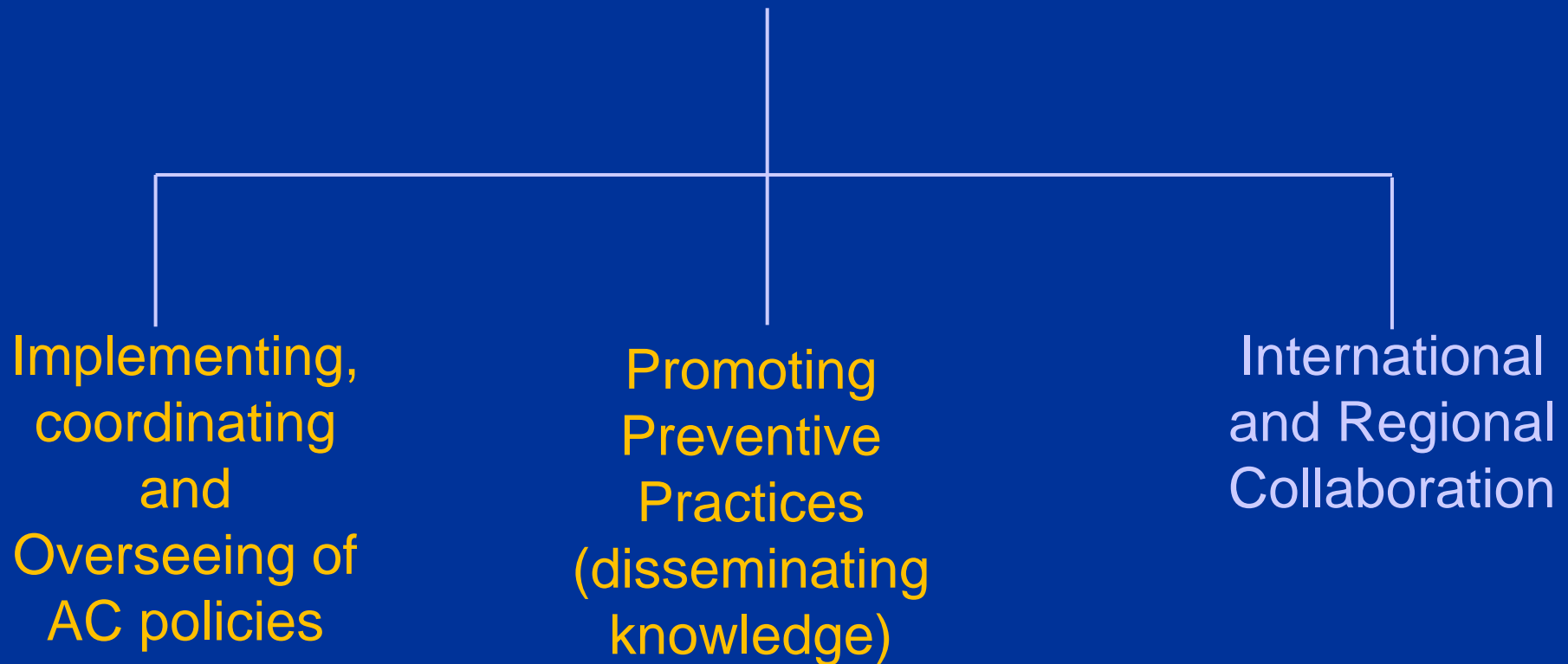


What are the challenges?

Article 5 of UNCAC



Preventive Anti-Corruption Policies and Practices (The Wider Framework)



Challenges for ACAs in implementing AC policies/strategies



- Multiple agencies are involved in implementation and the ACA may not have authority and resources to enforce the implementation (e.g., procurement reform and Finance Ministry)



Oversight of AC policy implementation: Coordination problem:
Every one wants to coordinate, none wants to be coordinated



(Source of footage: Professor Nikos Passas)



Increase and dissemination of knowledge about the prevention of corruption to public and public sector institutions to sustain support for AC reforms

1. Lack of capacity in data collection, research, analysis and dissemination
2. Weak enabling environment: no access to information law, political situation where non-state actors feel unsecured, etc.

Issue of ACA's Independence



- **Organizational:** degree of government participation in the appointment of ACA's authorities, implementation of its functions and its decision-making.
- **Functional:** ensuring that ACAs can carry out their functions without the undue interference of any third party or the executive
- **Financial:** Have predictable resources; have authority to plan and spend its resources and government cannot saction the ACA's budget

UNDP's Corporate position!



Do we agree with the emerging consensus that in many cases the ACAs are not efficient and effective? -- Yes!

Do we believe that the ACAs can be (become) the effective tools/solutions in fighting corruption? – Yes!



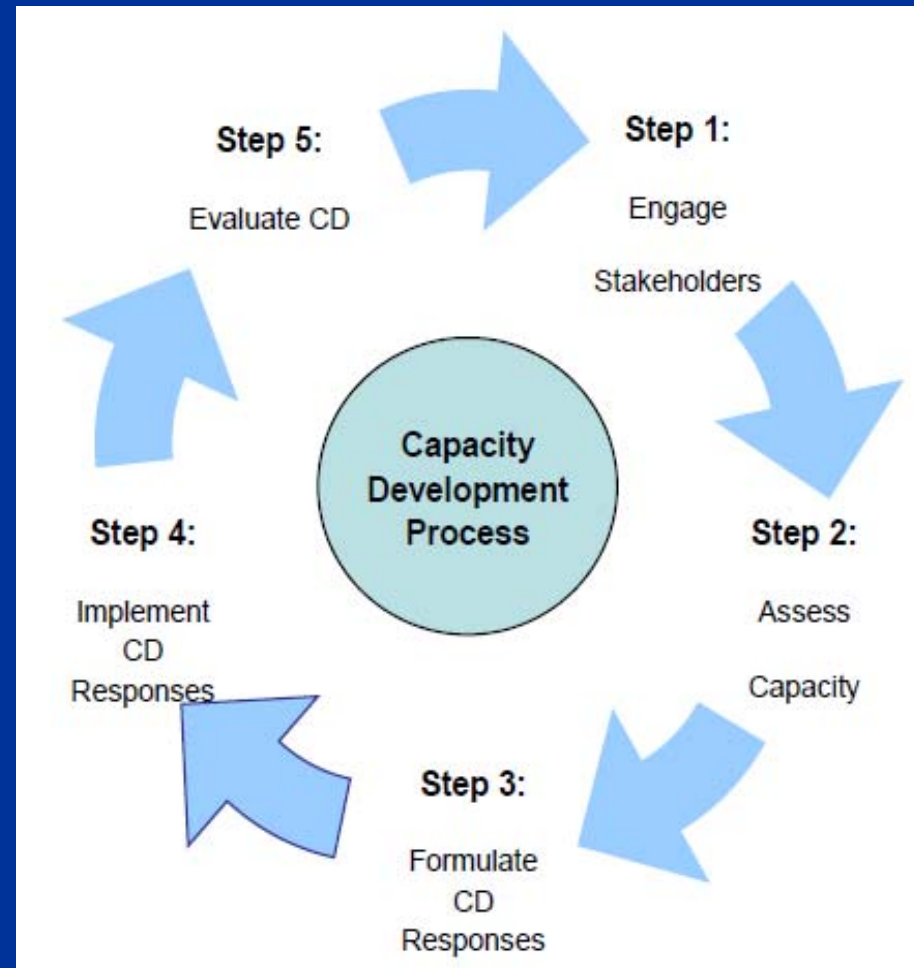


UNDP needs assessment of ACAs from Africa: Lack of capacities in almost all areas including the implementation of AC strategies

UNDP approach: Strengthening the capacities of ACAs



Starting point: A more systematic assessment of capacities of ACAs (including major factors that affect the efficiency and effectiveness of ACAs)



UNDP approach (continued..)



1. Capacity assessment as a part of strengthening CD; transformational change (management change agenda)
2. The ownership of the process by the ACAs themselves
3. Ensuring the multi-stakeholder consultations (better understanding of institutional arrangement, coordination mechanism, and also opening of spaces for reform)
4. Linking capacity assessment with monitoring and evaluation (benchmarking/mid-term and long-term measurement of results) – **Assessment not an end itself !**
5. Guidelines are suggestive, not prescriptive

UNDP Practitioners' Guide: Capacity Assessment of Anti-Corruption Agencies (ACAs)



- A function-based modular approach based on pilots in Bhutan, Mongolia, Montenegro, Kosovo, Turkey, Moldova and the FYR of Macedonia
- **Bratislava validation workshop**: participation of ACAs (Bhutan, Malawi, Singapore, Malaysia, FYR Macedonia, Moldova, Serbia) and other partners (UNODC, U4 and independent experts)
- **Next step**: Finalization of Guide to be launched at the 4th session of the COSP to UNCAC
- Periodic revision based on feedbacks from the users/practitioners (**your inputs to the Guide**)

Example: Required capacities for coordinating and implementing AC policies/strategies



Related functions:

- 1) Policy formulation
- 2) Implementation plans
- 3) Monitoring the implementation of policies
- 4) Evaluating policies

Example: Required capacities for coordinating and implementing AC policies/strategies



Enabling environment

(Policies, legislation, power relations, social norms)

Authority and positioning of ACA in the national integrity systems

Organizational level

(Internal policies, arrangements, procedures, frameworks)

Good working arrangement with other institutions (e.g., MoU) and requires a specialized unit for implementation and monitoring)

Individual level

(Experience, knowledge, technical skills)

Knowledge of specific sector, research and data analysis (both technical and functional capacities)

Thank You!

Further information:

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