

Preliminary Assessment of Chapter II and V of UNCAC

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IAAC and its role in anti-corruption affair

Independent Authority Against Corruption (IAAC) was established in 2007. As stated in Anti-Corruption Law, IAAC is a special independent government body charged with functions to raise anti-corruption public awareness and education, and corruption prevention activities, and to carry out under-cover operations, inquiries and investigations in detecting corruption crimes, and to review and inspect the assets and income declarations of those required by this law.

IAAC and its role

In this sense, IAAC made the objective of ensuring the implementation of UNCAC as a top priority and assumes the main responsibility to ensure the UNCAC implementation nationwide.

IAAC and its initiative towards fostering the implementation of UNCAC

In particular, the following measures was taken in 2013:

- In the light of country assessment of UNCAC, IAAC initiated to conduct tentative Self-Assessment of compliance of domestic laws with UNCAC requirement in order to ensure the preparation of UNCAC's country self-assessment and implemented its initiation in cooperation with UNDP country office under the "Citizens' Participation in Lawmaking" project.
- IAAC in cooperation with Transparency International-Mongolia and independent experts conducted and finalized research on compliance of Mongolian legislations with UNCAC requirements.

Rationale of IAAC's initiations towards UNCAC implementation

- Based on previous self-assessment experience and lessons
- Carry out the next self-assessment more prepared and organized
- Deliver recommendation and guidance required for conducting self-assessment to public organizations

The assessment method:

- Target group interviews /since the Chapters of UNCAC focus certain areas, the interviews was carried out with representatives picked out from those areas/
- Gap analysis on compliance of domestic laws with UNCAC
- Seminar was organized for discussing draft of tentative the self-assessment reports with relevant stakeholders

Outcome of the tentative assessment

- Tentative assessment of Chapter II and V are finished and respective reports are finalized.
- Tentative Self-Assessment was important for gaining insights on anti-corruption in legal system, implementation stage, level of inspection and evaluation of anti-corruption actions
- A large pool of information was collected during the tentative self-assessment period /the volume of the information for report on self-assessment of Chapter II is as large as six cover files/
- In other words, it is safe to assume that the foundation for integrated data base on anti-corruption actions is established

Steps to be taken until the UNCAC's self assessment in 2015

Seminar on findings of those reports with representatives from such stakeholders as government organizations, NGOs, civil society, international organizations is planned to be organized on 19 September 2014. The agenda of the seminar are as follows:

- Provide general information regarding the status of implementation of UNCAC
- Provide detailed information regarding the status of implementation of Chapter II and V of UNCAC
- Raise issues and exchange opinions on necessary actions should be taken regarding the legal context and organizational aspect of domestic legal system in order to ensure implementation of UNCAC
- Lastly, discuss and agree on how to prepare for the Country's Self-Assessment of UNCAC in 2015 and establishment of a Working Group that comprises of representatives from public organizations subject to self-assessment.

Further steps to be taken until the Country's Self- Assessment

- Organize training for officials and members of the Working Group responsible for carrying out self-assessment of public organizations in line with UNCAC requirement
- Based on information provided in the reports on tentative self-assessment, prepare handbook with all necessary information and deliver to all stakeholders subject to UNCAC's Self-Assessment.

Lessons learnt

- Provide with guidance which explains method to conduct self-assessment and introduces necessary insights for officials in charge of carrying out self-assessment
- Provide public organizations in charge of conducting self-assessment, in particular senior management with clear information /thus this would allow the officials in charge of conducting self-assessment with more time to spent on self-assessment activities and ensure their attention to the cause/

Challenges fronted during the tentative self-assessment

- Short time for tentative self-assessment
- Matchless and different type data bases of public organizations
- Slow reactions from public organization when providing information for tentative self-assessment
- Discrepancy in provided information and its lack of availability

- The development of National Anti-Corruption Strategy, which was initiated by the President of Mongolia is in its final stage and findings and recommendations provided by report on self-assessment of above mentioned Chapters of UNCAC is planned to be included in the document. This issue is also planned to be raised during the discussion on introduction of reports on UNCAC self-assessment.
- During the current ongoing legal reform, the sector specific recommendations will be delivered to those stakeholders responsible for developing draft laws of their respective public sector.

Thank you