

(1) Please describe (cite and Summarize) the measure /steps your country has taken , if any (or is planning to take , together with the related appropriate time frame) to ensure full compliance with this provision of convention and in particular to develop , implement , monitor and evaluate the impact of the country's anti- corruption policies.

In relation to article 5 and measures/ steps that have been taken, States parties and signatories may wish to consider including the following:

(A) Development and Implementation Process

(Q-1) Description of the process and steps taken for the development of the anti-corruption policies (strategy, plan, or other policies, regardless of their format or official title) that have been produced or are currently being developed by the State Party;

(A-1) Concerned with description of the process and steps for the development of the anti-corruption policies, Anti-Corruption Strategic Plan (2018-2021) has been developed in 2018. It has three main objectives and 5 working areas. Based on the Strategic Plan, Anti-Corruption Commission Myanmar (ACCM) has developed Annual Action Plan since 2018. In 2019 Action Plan, it has (10) working areas as follows;

- (a) Developing of policy Framework
- (b) Strengthening of Legal Framework
- (c) Nation-wide Corruption Prevention
- (d) Anti-Corruption Awareness Raising and Integrity Enhancing
- (e) Institutional Capacity
- (f) Capacity Building
- (g) International Relations on Programs for prevention and combatting corruption
- (h) Monitoring and Evaluation
- (i) Develop by 2020 Action Plan
- (j) Public Reporting

Based on the analysis of the previous year's results such as success and lessons which shall be reviewed by Commission, Annual Action Plans shall be developed. The results of the research, the advice of the voluntary advisory group and the view of the public shall be taken into consideration in the development of the anti-corruption policies.

(Q-2) Description of how the policies reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability;

- (A-2) The policies of the ACCM reflect the principles of rule of law, proper management of public affairs and public property, integrity, transparency and accountability in many good ways. Such as;
- (a) Concerned with the principles of rule of law, the fourth amendment of anti-corruption law was revised on 21st June 2018 based on the working area 1.1 of Anti-Corruption Strategic Plan (2018-2021) (Strengthening the Legal Framework). Because of the fourth amendment of anti-corruption law, ACCM is now able to take action against person who causes loss of or damage to state-owned finance or property by violating any existing rules, regulations or procedures while managing State-owned finance. ACCM can take action based on credible information on corruption in accordance with fourth amendment of anti-corruption law even if there is no one who complains or reports about the information of that corruption.
 - (b) Concerned with the proper management of public affairs and public property, ACCM has developed their policies which have direct and indirect impact to the proper management of public affairs and public property. According to Section 41 (c) of the Anti-corruption law, the inspector of the ACCM can inspect rules, regulations and procedures of the governmental department, governmental organizations and private organizations where mass corruption can be occurred and can support and submit to the commission for reforming those systems and procedures if necessary.
 - (c) Concerned with integrity, transparency and accountability, ACCM has arranged workshops and trainings. ACCM developed Code of Conduct for commissioners and staffs of ACCM based on working area (2) of ACC Strategic Plan. People have become much aware of integrity, transparency and accountability.
- (Q-3) Description of the applicable implementation mechanisms (including allocated budget, designated responsible institutions, timeline for implementation, etc.) which were established at national, sub-national and /or local government levels;
- (A-3) The Anti- Corruption Commission Office was opened on 10 March 2014 at Wunna Theikdhi Sports' Village in Nay Pyi Taw with the approval of Union Cabinet Meeting No (17/2014). In order to more effectively handle corruption prevention and law enforcement, former organizational structure was expanded with the approval of Union Cabinet Meeting No (20/2018) dated on 28 Nov 2018. According to the expanded structure, the Commission Office has two Departments and two branch offices: one in Yangon and another in Mandalay, having overall staff personnel (838) numbers: official rank (214) places and low level staff (624) places respectively. ACCM is funded by Union Budget and also supported by UNODC and UNDP.
- (Q-4) Description of any coordination mechanisms which have been put in place (including structures, protocols or procedures);
- (A-4) Provisions for international cooperation prescribed in Anti-Corruption Commission are empowered to cooperate with foreign countries, international and regional

organizations on Anti-Corruption matters. ACCM cooperates with UNODC, UNDP, UMFCCI and USAID. Myanmar has become 165th state party of UNCAC. Myanmar has been voluntarily participating in review mechanism on implementation of United Nations Convention against Corruption. And Myanmar successfully completed 1st Cycle of UNCAC Review Mechanism 2010 – 2015 and 2nd Cycle of UNCAC Review Mechanism 2016 – 2020.

Myanmar signed and entered into the South East Asia Parties against Corruption on 14 Nov 2013. Accordingly, the Anti-Corruption Commission has been regularly attending the Principals Meeting and Secretariat Meeting.

The Commission signed bilateral Memorandum of Understanding with Government Inspectorate of Vietnam in 2015 and with National Anticorruption Commission of Thailand in 2017, Government Inspection and Anti-Corruption Investigation Authority of Laos in 2018 and Anti-Corruption and Civil Rights Commission of Republic of Korea in 2018 for cooperation against corruption in 2018.

According to Working area 7 (International Relations on Programs for prevention and combatting corruption) of 2019 Action Plan, ACCM has a plan to sign MoU with China, India and Indonesia.

Concerned with domestic coordination mechanisms, ACCM has encouraged and negotiated with Ministries to establish and assign CPUs (Corruption Prevention Units) and coordinate in line with ACC law 2013, section 21 (c) (iii), section 44 and section 45. ACCM signed MOU with UMFCCI on 2nd July 2018. The (18) CPUs have been established until now.

Description of how the participation of society was promoted, including whether stakeholders outside of government were consulted and involved in the development, implementation and coordination.

(B) Monitoring and Evaluation

(Q-1) Description of the monitoring mechanisms which were established (including monitoring protocols, mechanisms and channels, feedback mechanisms, etc)

(A-1) Voluntary Advisory Group has been established with experts from different fields to get the fruitful consultation. ACCM also analyzes and takes into account Corruption Perception Index of Transparency International. Survey on Public Perception was being made by interviewing (100) persons in each State/ Region, totally (1330) persons from (13) Regions/ States except Chin State especially in the fields of (a) Knowledge of corruption, (b) Public Perception on corruption in government departments/ organizations, (c) Public Perception on complaints against corruption and public cooperation. Feedback can be submitted to the website of ACCM or by

post mail. In 2018, Myanmar was reduced one mark that reflected jumping down to two ranks below as compared to those of 2017.

- (Q-2) Description of the evaluation mechanisms which were established (including indicators, targets, baselines, data collection tools, data analysis procedures, validation and presentation or reporting of the evaluation findings to the policymakers and to the public at large);
- (A-2) Based on the analysis of the previous year's result and lesson learned, action plans shall be developed. Evaluation mechanisms have not been systematically established that include indicators, data collection tools, data analysis procedures. But annual report is yearly published and submitted to the Pyidaungsu Hluttaw, Pyithu Hluttaw, Amyotha Hluttaw and also to the public.
- (Q-3) Description of analytical approaches and methodologies used with regard to data and indicators in order to measure progress in implementation as well as the impact of measures taken further to the implementation process; and
- (A-3) Random sampling method is used in collecting perception of public.
- (Q-4) Description of how the participation of society was promoted, including whether stakeholders outside of government were consulted and involved in the monitoring and evaluation processes.
- (A-4) In the recent years, ACCM has become the organization which is highly interested and has gained the trust of the public. The anti-corruption activities in prevention, eradication and public awareness have been recognized by the public. Annual report is yearly published and submitted to the Hluttaw (Parliament). So, people can also participate in monitoring and evaluation processes through the representatives of the Hluttaw (Parliament). It is generally based on the complaints which were received from public. The increased numbers of complaints showed that public has a high expectation on ACCM. And a number of Facebook followers is over 120,000 which is the highest number of Facebook followers among the Facebook pages of Ministries of Myanmar.

2. Please outline the actions required to ensure or improve the implementation of the measures described above and any specific challenges you might be facing in this respect.

Examples of the actions required to ensure or improve the implementation of the measures described above and challenge States parties and signatories may face include:

(a) Development and Implementation Process

- (Q-1) Description of challenges encountered in the development and implementation process, particularly in terms of effectiveness, coordination and impact in both urban and rural areas, and steps that were taken, if any, to address these challenges;

- (A-1) Concerned with the challenges encountered in the development and implementation process, particularly in terms of effectiveness, coordination and impact in both urban and rural areas, Myanmar is composed of one union territory, 7 states and 7 regions. Total area is 676,578 km² and population is nearly 52 million. There are so many remote areas where natural resources are rich. And also, there are many development projects which are being implemented by national budget in respective budget years. With 12 members of commission and around 300 members of staff, it is difficult to monitor and cover the whole country. But ACCM has received complaints from different regions and states and has investigated the complaints that are concerned with corruption. Thus, the commission needs international assistance in Database System for complaints and work flow system. Moreover, it is needed to improve the capacity of staff and investigators from the commission.
- (Q-2) Reports, studies, statistics or any other relevant information which illustrates the measures the State Party has taken to effectively implement this provision; Anti-Corruption policy documents (strategy, action plan or other policies) or other documents containing anti-corruption policies; Government regulations, decrees or similar decisions establishing coordination structures and/ or procedures; and examples of the operation of the mechanisms for inter-institutional coordination.
- (A-2) As mentioned above, annual report is published and submitted to Hluttaw (Union Parliament). Based on the analysis of previous year's results and lesson learnt, the annual action plan shall be developed. Anti-Corruption policy documents are ACC Strategic Plan (2018-2021), 2018 Action Plan, 2019 Action Plan, UNODC Sub-Program (2) of National Strategic Plan (Myanmar), UNODC Work Plan, UNDP Annual plan. According to section (68) of ACC Law, notwithstanding contained in any other existing law in respect of corruption or enrichment by corruption or investigating, and taking action currencies and properties shall take action only by this law. But CPUs (Corruption Prevention Units) have been established in (18) ministries as coordination structures. By doing so, the gratification and bribery will gradually decrease. Moreover, government can be aware which sector/ ministry is the mass corruption in country and emphasize on checking and balancing in those sectors through the special measures. Government organizations are cooperating with ACCM whenever ACCM has requested even though there is no special regulations. For examples, ACCM asks for recommendation from Union Attorney General Office in prosecuting corruption cases in the court. For preventive measure, ACCM cooperate with not only UCSB but also other ministries. And ACCM signed declaration on Anti-Corruption Cooperation with the Federation of Chambers of Commerce and Industry (UMFCCI).

(b) Monitoring and Evaluation

- (Q-1) Progress reports on the implementation and/or impact of national anti-corruption strategies, action plans and /or policies; description of challenges in the development,

data collection and/or analysis of indicators to evaluate the implementation of relevant policies and their impact on the prevention and detection of corruption; public surveys of the perceived and experienced extent of corruption in various sectors and risk assessment of areas or sectors particularly susceptible to corruption.

(A-1) Anti-Corruption Strategic Plan (2018-2021) has been developed in 2018. It has three main objectives and 5 working areas. Based on ACC Strategic Plan, ACCM has developed the Annual Action Plan since 2018. In 2019 Action Plan, it has (10) working areas. Annual report was published and submitted to Pyidaungsu Hluttaw (Union Parliament). Representatives of Pyidaungsu Hluttaw (Union Parliament) discussed about the strengths and weak points of the results of the Annual Report. And then, Chairman of ACCM discussed and explained about the Annual Report at the Pyidaungsu Hluttaw (Union Parliament).

ACCM still needs to learn the practice of international anti-corruption organizations. ACCM needs budget to collect data and consultant who is expert and familiar with Myanmar working culture. In 2018, ACCM asked A2JI to make a survey on public perception which was being made by interviewing (100) persons in each State/Region, totally (1330) people from (13) Regions/States except Chin State especially in the fields of (a) Knowledge of corruption, (b) Public perception on corruption in government departments/organizations, (c) Public perception on complaints against corruption and public cooperation. One of the main objectives of the establishment of CPUs in (18) Ministries is to make risk assessments of areas or sectors particularly susceptible to corruption. ACCM also held workshop on Corruption Risk Assessment with the assistance of UNODC.

3. Please describe any lessons learned in the development, evaluation and impact of anti-corruption policies or strategies.

As regard with the development, evaluation and impact of anti- corruption strategies under the preventive measures, the following actions are the latest issues in ACCM.

The fourth amendment of Anti-Corruption Law was enacted on 21 June 2018. With the intention to get public understanding on our activities, the Commission's own website (www.accm.gov.mm) and ACC Myanmar Facebook Page were launched and at present, Facebook Page has around 120,000 followers. In commission website, the complaint procedures are broadcast to let public know. As part of corruption related edutainment program, the short video clips were produced. Through media, public becomes trust and reliable on ACC. According to the section 3 (c), prominent (credible) information was enacted and prosecuted to the Yangon Region Advocate General and his followers for the death of Facebook celebrity, Aung Ye Htwe.

In 2018, the Commission formulated Anti-Corruption Strategic Plan (2018-2021) and its corresponding Action Plan for the Year 2018 and implemented the actions for the fight

against the corruption. In 2019, the annual action plan is being implemented. According to 2019 plan, with the collaboration of UNODC, CPUs are being established in ministries to prevent corruption and to take action those who corrupt. Until now, there has been CPUs in (18) ministries. By doing so, ACC can monitor on the corruption of each ministry and it is also one of the best ways to irradiate corruption.

ACCM and Chairman of UMFCCI signed and issued the Joint Declaration on cooperation for Anti-Corruption to develop principally strong business ethics and appropriate controls tools in private business organizations for prevention of corruption on 2nd July 2018.

In order to educate and disseminate anti-corruption knowledge and practices among school children and youths as part of enhancing the integrity program, Teachers' Guide Book for basic education primary level was jointly developed by the Anti-Corruption Commission Myanmar and Ministry of Education. The Commission successfully transferred 40,000 Guide Books to Ministry of Education. Now, ACCM is developing curriculum on integrity education for secondary and tertiary levels. It can also nature the integrity and ethic of the young generation.

To expend the structure of ACCM, Yangon branch and Mandalay branch were already opened. The second cycle review meeting was held and the responsible review countries visited and recommended on it. According to 2019 ACC Action Plan, the whistle blower law is drafted for the second time. ACCM will participate in the (15) SEA-PAC meeting at Singapore. The 2020 action plan will be developed.

4. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?

Yes, technical assistance is required in order to allow us to fully implement this provision. In ACCM, there are two main departments which are Administrative Department, Prevention and Investigation Department. Therefore, not only investigation trainings but also public administration trainings are also needed. For a short term, workshop, study tour, seminar, knowledge sharing section should be provided in rising capacity of staff officer. For the long term, scholarship for master course on anti-corruption studies, management studies should be offered for the sustainable capacity development of staff and officer. For the development of M&E mechanism, more funding for technical assistance is needed.