Pacific Youth Anti-Corruption Advocate’s Toolkit
#InfoDemand2day
#integrity2day

“CITIZENS' ACCESS TO INFORMATION”

Information is a RIGHT

ACCESS is NECESSARY

Better Info Access = Better 708

#AccessNow

ACCESS TO INFO EQUALS GREATER TRANSPARENCY 😊
Acknowledgements

The United Nations Pacific Regional Anti-Corruption (UN-PRAC) Project would like to thank everyone who contributed to the realization of this toolkit.

UN-PRAC acknowledges its strong partnership with the Pacific Youth Council (PYC) that has led to the development of the toolkit and the support of its donor, the Australian Government’s Department of Foreign Affairs and Trade (DFAT).

The idea of this publication was originally conceived by the Pacific youth who participated at the 2015 Pacific Youth Forum Against Corruption (PYFAC). Feedback and comments were kindly provided by participants at the 2015 Pacific Civil Society Anti-Corruption Workshop and the Pacific youth who tested the toolkit at the 2017 Pacific Youth Anti-Corruption Innovation Lab.

Thanks are also due to the consultant, Vivian Koster, who took the lead in putting the content together, and to Sia Uhila, who initiated the research on this work.
## Table of Contents

- Introduction ................................................................................................................................. 7
- Goal ................................................................................................................................................ 7
- Aim ............................................................................................................................................... 7
- Competencies ............................................................................................................................... 7
- Preparing to use a toolkit ............................................................................................................. 8
- Reflect – Analyze – Action ........................................................................................................... 8
- Getting Started ............................................................................................................................. 8
- An Overview ................................................................................................................................. 9
- What is corruption? ....................................................................................................................... 9
- Causes of corruption ..................................................................................................................... 11
- Effects of corruption ..................................................................................................................... 11
- United Nations Convention against Corruption ........................................................................ 12
- Key Chapters of UNCAC ............................................................................................................. 13
- Preventive Measures ..................................................................................................................... 13
- Criminalization and Law Enforcement ....................................................................................... 13
- International Cooperation ............................................................................................................ 14
- Asset Recovery ............................................................................................................................. 14
- Human Rights-Based-Approach .................................................................................................. 14
- The Sustainable Development Goals ......................................................................................... 15
- Pacific Youth Development Goals ............................................................................................... 16
- Section 1: All about corruption ................................................................................................... 17
- Speed Test ..................................................................................................................................... 18
- How do I find more information on corruption and anti-corruption measures in my country ............................................................................................................. 18
- Anti-Corruption agencies ........................................................................................................... 18
- Section 2: On Your Mark, Get Set…Plan! .................................................................................... 20
- Speed Test ..................................................................................................................................... 21
- Vision .......................................................................................................................................... 24
- Goals .......................................................................................................................................... 24
- Developing Goals ....................................................................................................................... 25
- Objectives ..................................................................................................................................... 25
- Developing Objectives ................................................................................................................ 26
- Roles ........................................................................................................................................... 26
- Section 3: Now Go and Get Creative .......................................................................................... 28
- Speed Test ..................................................................................................................................... 29
- Choosing activities ....................................................................................................................... 30
Important considerations ........................................................................................................................................................................... 32
The target audience .................................................................................................................................................................................. 32
Your messages ....................................................................................................................................................................................... 32
Funding ............................................................................................................................................................................................... 32
Section 4: Looking back and moving forward ........................................................................................................................................... 33
Speed Test ............................................................................................................................................................................................. 34
Being the reflective advocate .................................................................................................................................................................... 35
Reporting ................................................................................................................................................................................................... 36
Conclusion ............................................................................................................................................................................................... 37
Anti-Corruption Glossary .......................................................................................................................................................................... 38
Appendices ................................................................................................................................................................................................ 42

List of boxes
Box 1 - General knowledge ........................................................................................................................................................................ 8
Box 2 - First definition of corruption .......................................................................................................................................................... 9
Box 3 - Second definition of corruption .................................................................................................................................................. 9
Box 4 - Types of corrupt behaviors ....................................................................................................................................................... 10
Box 5 - Pacific Islands Parties to UNCAC ............................................................................................................................................ 14
Box 6 - All about corruption................................................................................................................................................................. 18
Box 7 - Planning your campaign ............................................................................................................................................................ 21
Box 8 - Skills Self-Assessment .............................................................................................................................................................. 22
Box 9 - Resource Assessment ............................................................................................................................................................... 23
Box 10 - Examples of well written goals and badly written goals ...................................................................................................... 25
Box 11 - Objectives ................................................................................................................................................................................... 25
Box 12 - Examples of objectives ............................................................................................................................................................ 26
Box 13 - Anti-Corruption activities ........................................................................................................................................................ 29
Box 14 - Example of activities from earlier goals and objectives .................................................................................................... 30
Box 15 - Monitoring, evaluation and reporting of activities ............................................................................................................. 34
Box 16 - Identifying the process indicators .......................................................................................................................................... 34
Box 17 - Identifying the results indicators .......................................................................................................................................... 35
Box 18 - Means of verification .............................................................................................................................................................. 35
Box 19 - Basic report template ............................................................................................................................................................. 36

List of figures
Figure 1 - What are the seventeen SDGs? ......................................................................................................................................................... 16
Figure 2 - Sources of information about corruption and anti-corruption .......................................................................................... 19
Figure 3 - Network mapping ................................................................................................................................................................. 22
Figure 4 - Roles of pyramid ................................................................................................................................................................. 27
Figure 5 - Options for group activities .................................................................................................................................................. 31
Welcome to the Pacific Youth Anti-Corruption Advocate’s Toolkit!

This Toolkit is designed to help you with your advocacy against corruption. It recognizes your creativity and energy as advocates for integrity, transparency, and accountability. The purpose of the Toolkit is to increase your capacity to mobilize people to prevent and fight corruption.

The Pacific Youth Anti-Corruption Advocate’s Toolkit has been developed from the lessons learned of the Pacific Anti-Corruption Forum in February 2015 whereas 14 Pacific Countries participated, and from the integrity workshops for youth in various Pacific island countries.

The following subsections focus on the overall goal and aim of the Toolkit, the competencies that should be attained from using the Toolkit and how to be a reflective advocate.

Goal
To empower anti-corruption advocates to recognize and develop their skills to mobilize people to be advocates against corruption.

Aim
The aim of the Toolkit is to provide the necessary tools and skills to anti-corruption advocates to join the anti-corruption movement.

Competencies
The user of this Toolkit will develop the following competencies:
Preparing to use the Toolkit

Be a reflective advocate!

This Toolkit is designed to help you be a better advocate. An essential part of that process is for you to reflect on your work and learn from it. There are three parts to being a reflective advocate:

REFLECT – ANALYZE – ACTION

• Reflect or think about the advocacy work you have undertaken. Did you learn something new (or re-learnt something old)
  – Write it down.
• Analyze what you learnt – what did you think about it? Do you agree or disagree? Provide examples.
• Decide what you will do – how will you act now that you have this new information.

Throughout your use of this Toolkit and your advocacy programmes, you should reflect on the lessons learned and the materials used. It is best to keep a journal, such as an exercise book. Be sure to date each entry, and to use appropriate headings so that you can refer to these later if need be.

Getting Started

This section defines corruption, briefly looks at causes and effects of corruption, and provides an overview of regional and international documents.

First complete the Speed Test.

Speed Test for overview background

Take a few minutes to try this self-test.

It is an opportunity to begin your thinking on the topics to be covered in this section. When you have completed the reading and activities you may want to come back to this self-test to see if your answers have changed.

Box 1: General knowledge

Mark the appropriate box to answer the following questions:

<table>
<thead>
<tr>
<th>QUESTIONS</th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can you define corruption?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know what causes corruption?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know what the effects of corruption are?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are you familiar with the United Nations Convention against Corruption (UNCAC)?</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know if your country has ratified the UNCAC?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are you well versed with the Sustainable Development Goals (SDGs)?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Have you read through the Pacific Youth Development Framework (PYDF)?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you understand what the human rights approach means?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Note: A speed test can be used as a pre-workshop tool to get a quick snapshot of the level of knowledge of participants. It does not have to be an actual written test, it could instead be a brainstorming exercise or a verbal question and answer session.

1 UNDOC and UNDP. N.d. Pacific Anti-Corruption Factsheet #2 United Nations Convention Against Corruption (UNCAC) – See Appendix 2 of this Toolkit.
An Overview:

What is corruption?

Corruption means different things to different people and groups. It is usually referred to as the misuse of power or position for personal benefit or the benefit for those we know. Many attempts have been made by various organizations, including the UN and the World Bank and Transparency International to define corruption. However, this has led to many discussions and arguments in terms of where there is the line between what is corruption and what is not (e.g. asking ourselves is this a criminal act? Or is it a tradition?). It is because of these discussions and arguments that the UNCAC has not defined corruption but instead covers what corrupt behavior entails. Examples of this include bribery, embezzlement, theft, fraud, extortion, favoritism, nepotism, using a conflict of interest, improper political contributions, abuse of office, money laundering and so forth.²

Below are explanations of corruption from two international organizations. The first is from Transparency International which is a civil society organization that aims to stop corruption and promote transparency, accountability and integrity at all levels and across all sectors of society.³ The second is from the World Bank that is a financial institution that offers both finance and technical assistance to developing countries around the world. It comprises five institutions managed by their 189 member countries.⁴

Box 2: First definition of corruption

Transparency International defines corruption as “the abuse of entrusted power for private gain.” Corruption can be classified as grand, petty, or political, depending on the amounts of money lost and the sector where it occurs.

Grand corruption consists of acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good.

Petty corruption refers to everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.

Political corruption is a manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth.⁵

Box 3: Second definition of corruption

World Bank defines corruption as the abuse of public office for private gain. Public office is abused for private gain when an official accepts, solicits, or extorts a bribe. It is also abused when private agents actively offer bribes to circumvent public policies and processes for competitive advantage and profit. Public office can also be abused for personal benefit even if no bribery occurs, through patronage and nepotism, the theft of state assets, or the diversion of state revenues. This definition is both simple and sufficiently broad to cover most of the corruption that the Bank encounters, and it is widely used in the literature. Bribery occurs in the private sector, but bribery in the public sector, offered or extracted, should be the Bank’s main concern, since the Bank lends primarily to governments and supports government policies, programs, and projects.⁶

Think

How is corruption defined or described in your local language?

You can ask this question when conducting your advocacy campaign. In a workshop setting:

Create small groups of 4-6 people each (if you can, try to have people with the same local language in the same group). Provide each group with paper and a permanent marker. Ask each group to answer the question above.

Ask each small group to report back to the big group.

Time: 20 minutes

*Note: You may want to come back to this activity once you have discussed causes and effects of corruption as these discussions may trigger new ideas on how corruption is defined or described in the local language.

---

<table>
<thead>
<tr>
<th>Type of Corruption</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fraud</td>
<td>To cheat. The offence of intentionally deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise).</td>
</tr>
<tr>
<td>Bribery</td>
<td>Offering/promising/giving/accepting gift, loans, fees, donations, services for an advantage over others which is illegal or a breach of trust</td>
</tr>
<tr>
<td>Extortion</td>
<td>Act of utilising, either directly or indirectly, one’s access to a position of power or knowledge to demand unmerited cooperation or compensation as a result of coercive threats.</td>
</tr>
</tbody>
</table>
| Nepotism           | Form of favouritism based on acquaintances and familiar relationships whereby someone in an official position exploits his or her power and authority to provide a job or favour to a family member or friend, even though he or she may not be qualified or deserving. Also see ‘clientelism’.
| Improper political contribution | Any contribution, made in cash or in kind, to support a political cause and to influence decisions or get an unfair advantage over others |
| Embezzlement       | When a person holding office in an institution, organisation or company dishonestly and illegally appropriates, uses or traffics the funds and goods they have been entrusted with for personal enrichment or other activities. |
| Conflict of Interest | Situation where an individual or the entity for which they work, whether a government, business, media outlet or civil society organisation, is confronted with choosing between the duties and demands of their position and their own private interests. |
Causes of Corruption

Corruption is a phenomenon with many faces and is characterized by a range of economic, political, administrative, social and cultural factors. Corruption is not an innate form of behavior, but rather a symptom of wider dynamics which results from interactions, opportunities, strengths and weaknesses in socio-political systems. It is, above all, the result of dynamic relationships between multiple actors.

Our ability to be corrupt might be a result of weak management systems, meaning that our supervisors or the rules for the way we work may not be strong or even known to everyone. If this is the case, we might think that we will be able to get away with corruption because people will not find out straight away or when they do they will not have any rules in place to stop and punish it. It also means that corruption could be practiced throughout the system, and as a worker you might think why I shouldn’t also get some benefit too.

Everyone wants to make some money. It could be to buy a new phone or a television or to go on a nice holiday. It could also be to meet basic needs such as buying enough food to feed everyone in the family, buying medicine for the elderly or paying your children’s school fees. When we cannot meet our needs and wants we may be tempted by ‘gifts’ and promises of opportunity or money. We then might commit a corrupt practice.

Effects of Corruption

The effects of corruption can be within a person, a family, a community, an island and a whole country.

Corruption can affect the way people view leadership and government. It can therefore involve people distrusting leadership and government, which can mean that they are unwilling to take part in voting or discussions because they do not see any point in doing so. It can also mean that people no longer believe the law is for everyone so they do not trust the police and the court system.

Another effect is on the economic wealth of people, communities and the country. Resources are scarce so when those resources are used in a corrupt way it means that only a few are receiving the benefit while the majority do not, and they will not get any benefits in the future because the resources are finished. In terms of a country, this can mean that important needs such as schools or hospitals are not upgraded or built which in turn affects people’s health and education.

Think

What does corruption look like in my community?

What do you think are the causes of corruption?

You can ask this question when conducting your advocacy campaign. In a workshop setting:

Create small groups of 4-6 people each. Provide each group with paper and a permanent marker. Ask each group to discuss the two questions above, then draw a diagram of what corruption looks like and the cause of that corruption in their community.

Ask each small group to report back to the big group.

Time: 15 minutes
A further effect is on the environment where natural resources can be overused or depleted due to corrupt practices. This in turn affects the ability of people to use those resources for food, drinking water or to make money through sustainable fishing and sustainable farming. It also impacts a community’s cultural practices because in the Pacific islands our traditional medicines, dance costumes, knowledge about the weather and food is built into our natural environment. If that environment is destroyed, we also destroy important aspects of our culture. For example, all Pacific countries depend on the oceans and its resources for food, livelihoods and economic activities. By far, fisheries are the most significant renewable resource that Pacific Island countries have and as populations in the Pacific continue to grow, the future benefits that these resources can provide to the region will depend on how well they are managed relative to the increasing demands in order to sustain harvests.

Think

How does corruption affect you, your family, your community, your country?

You can ask this question when conducting your advocacy campaign. In a workshop setting:

Create small groups of 6 people each. Provide each group with paper and a permanent marker. Ask each group to discuss the question above, then draw a table with four columns with the headings: You, Family, Community and Country. Under each heading write answers from their discussions.

Ask each small group to report back to the big group.

Time: 20 minutes

United Nations Convention Against Corruption

The UNCAC is the first legally binding, global anticorruption instrument. The Convention was adopted by the United Nations General Assembly in October 2003 and entered into force in December 2005. To date, 180 countries plus the European Union have become States parties to UNCAC, representing a ground breaking commitment to tackle corruption.

UNCAC is unique in its holistic approach, adopting prevention and enforcement measures, including mandatory requirements for criminalizing corrupt behaviors. The Convention also reflects the transnational nature of corruption, providing an international legal basis for enabling international cooperation and recovering proceeds of corruption (i.e. stolen assets). The important role of government, the private sector and civil society in fighting corruption is also emphasized. The Convention includes an implementation review mechanism, whereby each State party is reviewed periodically by two other States parties on its implementation of UNCAC. The Convention also calls on each State party to provide technical assistance and training, and exchange information for the purpose of strengthening implementation.

In its eight Chapters and 71 articles, the UNCAC obliges those countries party to it (States Parties) to implement a wide and detailed range of anti-corruption measures through their laws, institutions and practices. It can also serve as a tool for citizens and civil society organizations to hold their governments accountable to international requirements regarding anti-corruption performance.

The UNCAC provisions require State Parties to take a number of public and private anti-corruption measures:
Key Chapters of UNCAC

Chapter II: Preventive measures
Chapter III: Criminalization and law enforcement
Chapter IV: International cooperation
Chapter V: Asset Recovery

Preventive Measures

Prevention, as they say, is better than cure. This is also the case in fighting corruption. By focusing on corruption prevention, the impact of corrupt behaviour can be reduced. For example, effective corruption prevention can: reduce opportunities for tax evasion thus increasing revenues; ensure a more even playing field for the private sector by limiting unfair advantages in winning contracts or achieving business licenses; and reduce leakage of public funds destined for delivering health and education services or building roads and other critical infrastructure.

As such, the UNCAC dedicates a chapter to corruption prevention with measures directed at both the public and private sectors. These measures include: developing and implementing anti-corruption policies; maintaining a body or bodies to implement prevention policies and to share anti-corruption knowledge; maintaining proper systems for the recruitment, hiring and promotion of public officials; ensuring transparency in the funding of political parties and candidates; preventing conflicts of interest and maintaining codes of conduct for public officials; enabling the reporting of corrupt conduct; maintaining financial and other disclosures by public officials; as well as enforcing appropriate disciplinary measures. The UNCAC also requires: effective systems of procurement, based on transparency, competition and objective criteria in decision-making; transparency, accountability and integrity in managing public finances; transparency in public administration, including providing access to information; the integrity and independence of the judiciary and prosecution services; preventing corruption in the private sector; promoting the participation of civil society and individuals in the fight against corruption; and preventing money laundering.

Criminalization and Law Enforcement

While corruption prevention is fundamental, being able to enforce the rules and hold people to account is vital to anti-corruption efforts. The UNCAC addresses the criminalization of a range of corrupt behaviours including: bribery, embezzlement and misappropriation (in both the public and private sectors); trading in influence; abuse of functions; illicit enrichment; money laundering; concealment; and obstruction of justice.

Effective law enforcement is pivotal to investigating and prosecuting corruption. For this reason, UNCAC provides for a range of enforcement methods including: the freezing, seizure and confiscation of proceeds of corruption; witness and whistle blower protections; maintaining a dedicated law enforcement capability; enabling cooperation with national authorities; overriding bank secrecy provisions to enable the investigation and prosecution of criminal offences; as well as enabling cooperation among national authorities, and also with the private sector. The Convention also provides guidance regarding the liability of legal persons, prosecution, adjudication and application of sanctions, as well as compensation for damage.

---

8 UNDOC and UNDP. October 2015. Pacific Anti-Corruption Factsheet #1 United Nations Pacific Regional Anti-Corruption (UN-PRAC) Project – See Appendix 1 of this Toolkit.
9 See Appendix 3 of this Toolkit for more information
10 See Appendix 4 of this Toolkit for more information.
International Cooperation\textsuperscript{11}

Given the transnational dimension of corruption, States parties are required to cooperate in criminal matters relating to corruption and are encouraged to cooperate in civil and administrative proceedings. UNCAC also enables extradition and mutual legal assistance in the investigation and prosecution of corruption offences. The Convention itself can be used a legal basis for international cooperation. Law enforcement cooperation is central to UNCAC, with the Convention addressing joint investigations and the use of special investigative techniques. Other forms of cooperation include the transfer of sentenced persons and criminal proceedings.

Asset Recovery\textsuperscript{12}

As a fundamental principle underpinning the UNCAC, it was deemed essential by many developing countries to include provisions to enable the recovery of the proceeds of corruption, or stolen assets. Several provisions focus on how to prevent and detect transfers of the proceeds of corruption, including: the application of enhanced scrutiny to accounts and transactions of politically exposed persons; financial disclosure systems; identification of financial institution customers; establishing a financial intelligence unit; the direct recovery of property; confiscation through international cooperation; special cooperation without prior consent to disclose; as well as the return and disposal of assets. The key message to corrupt officials is that there will be no safe haven in which to hide the proceeds of corruption.

Box 5: Pacific Island Parties to UNCAC

<table>
<thead>
<tr>
<th>Country</th>
<th>Date of ratification/ accession</th>
</tr>
</thead>
<tbody>
<tr>
<td>Papua New Guinea</td>
<td>16 July 2007</td>
</tr>
<tr>
<td>Fiji</td>
<td>14 May 2008</td>
</tr>
<tr>
<td>Palau</td>
<td>24 March 2009</td>
</tr>
<tr>
<td>Vanuatu</td>
<td>12 July 2011</td>
</tr>
<tr>
<td>Cook Islands</td>
<td>17 October 2011</td>
</tr>
<tr>
<td>Marshall Islands</td>
<td>17 November 2011</td>
</tr>
<tr>
<td>Solomon Islands</td>
<td>06 January 2012</td>
</tr>
<tr>
<td>Micronesia</td>
<td>21 March 2012</td>
</tr>
<tr>
<td>Nauru</td>
<td>12 July 2012</td>
</tr>
<tr>
<td>Kiribati</td>
<td>27 September 2013</td>
</tr>
<tr>
<td>Tuvalu</td>
<td>04 September 2015</td>
</tr>
</tbody>
</table>

*Status as of 29 June 2017

Human Rights - Based Approach

The Office of the United Nations High Commissioner for Human Rights (OHCHR) states that the human right-based approach is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. It seeks to analyze inequalities which lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress\textsuperscript{13}

\textsuperscript{11} See Appendix 5 of this Toolkit for more information.
\textsuperscript{12} See Appendix 6 of this Toolkit for more information.
A new development agenda guided by human rights means putting people first and ensuring that the protection and promotion of all human rights is at the heart of a more equitable and sustainable model of development. For example, equality and non-discrimination require disaggregated data, paying particular attention to the most marginalized groups, providing them with choice through equal opportunities, and voice through effective and meaningful participation in making decisions that affect their life. The human rights perspective demands also enabling environment at the international level allowing States at different level of development to fulfil the human rights entitlements of the populations under their jurisdiction. This calls for strong commitments on means of implementation and global partnership relevant for the right to development.14

The emphasis of a human rights approach is on how human rights are achieved. It puts into practice the Universal Declaration of Human Rights and other human rights instruments.

While there is no universal recipe for human rights-based approach, there are several essential features:

- As development policies and programmes are formulated, the main objective should be to fulfil human rights;
- A human rights-based approach identifies rights-holders and their entitlements and corresponding duty-bearers and their obligations, and works towards strengthening the capacities of rights-holders to make their claims and of duty-bearers to meet their obligations;
- Principles and standards derived from international human rights treaties should guide all development cooperation and programming in all sectors and in all phases of the programming process.

The Sustainable Development Goals15

There are 17 Sustainable Development Goals (SDGs). They call for countries to work towards ending poverty, fight inequalities and to protect our planet. The SDGs officially came into force on 1 January 2016.

The SDGs are not legally binding. However, governments are expected to work towards achieving the 17 Goals, not only implementation but also follow-up and review of their progress. The reviews will be conducted at the national, regional, and global levels.

15 For more information, see http://www.un.org/sustainabledevelopment/development-agenda/
More than half of the 10 million people living in the Pacific Islands region are under the age of 25. Against this backdrop, the Secretariat of the Pacific Community, in partnership with other organizations and agencies, developed the Pacific Youth Development Framework (2014-2023) that highlights the engagement of youth as a prerequisite for effective development.

The PYDF is about how regional organizations, governments, community organizations, and society can support young people in the Pacific towards safe and healthy lives and sustainable environments, as active social and economic participants in their communities.17

The vision of the PYDF is:

A sustainable Pacific where all young people are safe, respected, empowered and resilient.

There are four priority outcome areas:

1. More young people secure decent employment;
2. Young people’s health status is improved;
3. Governance structures empower young people to increase their influence in decision-making; and
4. More young people participate in environmental action.


Section 1: All about corruption

This section provides a guide on how to find more information about corruption within your country.
First complete the Speed Test

Speed Test for All about Corruption

Take a few minutes to try this self-test.

It is an opportunity to begin your thinking on the topics to be covered in this section. When you have completed the reading and activities you may want to come back to this self-test to see if your answers have changed.

Box 6: All about corruption
Mark the appropriate box to answer the following questions:

<table>
<thead>
<tr>
<th>QUESTIONS</th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you know if your country has laws and/or policies to fight corruption?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know an organisation that fights corruption in your country?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know three ways you can gather information?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

How do I find more information on corruption and anti-corruption measures and agencies in my country?

Existing anti-corruption laws and policies

There are a variety of ways to find information. In terms of measures, appendices 1 to 14 of this Toolkit have Technical input sheets on fourteen countries that cover the various laws and policies that are in place to combat corruption. The countries are: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.

You can also check the United Nations Office on Drugs and Crime (UNDOC) website for Country Profiles, at http://www.unodc.org/unodc/en/treaties/CAC/country-profile/index.html. There is also the TRACK portal which is an Online Resource Center to Fight Corruption at http://www.track.unodc.org/Pages/home.aspx.

Papua New Guinea and Solomon Islands are the only Pacific Island countries to have adopted a National Anti-Corruption Strategy at this point. In 2014, the PNG Parliament also voted unanimously to amend the Constitution to allow for the establishment of an Independent Commission Against Corruption (ICAC). Fiji is the only other PIC to have established an ICAC (FICAC was created in 2007). Several other countries are currently in process of designing their anti-corruption policies and strategies.

Anti-Corruption agencies

Your first step, besides the attached technical inputs, might be the Pacific Islands Anti-Corruption Directory. It is a listing of government agencies and civil society organizations that seek to address corruption. It names the organization, the type of work they do and their contact details. It covers the countries listed above. The Directory can be downloaded from the internet at http://www.asia-pacific.undp.org. If your country is not covered by the Directory, you should still take a look at it to give you an idea of where you can go for information within your own country.

You should also check the government websites of your country. They may have information on related agencies. Examples of such agencies (as listed in the Directory) include: Department/ Ministry of Justice/ Attorney General’s Office, National Police Force, Ministry

14 UNDP and UNODC. Pacific Anti-Corruption Factsheet. UNCAC Chapter II – Preventive Measures.
of Finance, National Audit Office/ Auditor General’s Office, Public Service Commission/Office and the Ombudsman’s Office.

You may also want to find out if there is a Transparency International office in your country – you may want to check the telephone directory as your first step or the internet. You should also make contact with other non-governmental or civil society organizations in your community to see if they work in the area of anti-corruption. If they do not, they may be able to point you to an organization that does. You could also check with your local religious organizations. Faith-based groups do a lot of work on social justice and tend to be strong advocates against corruption.

Other ways of gathering information include you visiting your local library or media outlet. Some countries do not have libraries but do have a newspaper and/or a radio station and/or a television station. Media outlets keep records of their stories and this can be a useful tool. There may also be a national archive or records office that you can access.

In some cases, it will be necessary for you to seek permission first before you can access information. You may be able to telephone or make an inquiry via email or letter. Remember that you should always be polite and explain what information you want and why you want it. As a citizen of a country you have the right to public information unless it has been officially marked as classified and therefore not available to everyone. However, politeness and courtesy will always go a long way in receiving help from others.

Another avenue for information gathering is tertiary institutions – the University of the South Pacific has campuses and centers in twelve Pacific island countries. There are also national universities in Samoa and the Solomon Islands. Both Fiji and Papua New Guinea have three universities. In the northern Pacific there are colleges in Palau, Federated States of Micronesia, Republic of the Marshall Islands and the Northern Marianas. There are teacher colleges in Kiribati and Vanuatu. Each of these institutions can provide information including possible expertise from the academic teaching staff/ faculty. You may want to search on the University of the South Pacific, School of Law’s Pacific Islands Legal Information Institute website: www.pacilii.org for laws and court decisions on corruption and anti-corruption from twenty Pacific island countries.

You can also contact the UN-PRAC team for guidance. The team’s contact information is available in the Pacific Anti-Corruption Factsheets which are located in the appendices at the end of this Toolkit.

Figure 2: Sources of information about corruption and anti-corruption
Section 2: On Your Mark, Get Set...Plan!

This section provides essential information about planning your campaign. It looks at how you can access networks, skills, and resources. It also guides anti-corruption advocates on how to write a vision, goals, and objectives. It further challenges advocates to honestly look at the role they can play in a campaign.
Speed Test for On Your Mark, Get Set...Plan!

Take a few minutes to try this self-test.

It is an opportunity to begin your thinking on the topics to be covered in this section. When you have completed the reading and activities you may want to come back to this self-test to see if your answers have changed.

Put a mark in the appropriate box to answer the following questions:

### Box 7: Planning your campaign

<table>
<thead>
<tr>
<th>QUESTIONS</th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you know the networks of people and organizations that exist in your community?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know what skills you have, and those of your group, that can contribute to setting up your anti-corruption campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know what resources you have available to use in your anti-corruption campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know what a vision is?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know how to write goals and objectives for your anti-corruption campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know the different roles people can play in a campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Once you have gathered your background information on corruption and anti-corruption measures and agencies, you need to start thinking about your actual campaign. Your first decision will be ‘where will I work?’. On one hand, you might decide that you would be more effective joining an organization that is already doing work on anti-corruption. If this is the case, it is always good to put your hand up and let the organization know what you can offer - the skills and knowledge you have that you can effectively contribute to their work. Again, a good starting point is the Anti-Corruption Directory on existing and relevant anti-corruption organizations and agencies in your country and also the information contained in appendices 7 – 20 of this document.

On the other hand, you may want to work with your youth group, or form a new one, to fight corruption. You may decide to work in your community, or in one economic sector, or work at a country or national level. Whichever it is, you need to make some serious decisions about who, where and how you will campaign for anti-corruption.

Let’s begin with who you can work with. Below is a tool for network mapping. It can be used at the thinking stage of your campaign and also in the planning partnerships stage.
Figure 3: Network Mapping: Map out people and organizations that can help with your anti-corruption campaign

Map out people and organizations that can help with your anti-corruption campaign.

Prepare a list of people and organizations that can help your campaign. List how they can help and in which areas of work – planning, providing resources, implementation, monitoring and evaluation.

Once you have decided who you will work with, you need to decide what skills you have as individuals and as a group. This is important to know as you do not want yourself or your group to get in over their head and be unable to complete the campaign. The following tool should help you do this. It also gives you an idea what kind of training you and your group might need.

Box 8: Skills Self-Assessment

<table>
<thead>
<tr>
<th>The skills I have</th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>I am a good public speaker</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I am able to talk to others in formal functions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I can write formal letters</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I can use email</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I know email etiquette or manners</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I can gather information</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I can conduct an organized meeting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I am able to participate in a meeting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I listen to others</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I ask for help</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


This tool should give you an idea of how ready you and your group are to conduct advocacy work. It is important that you are realistic and truthful about yourself and your group’s abilities. If you have ticked No or unsure then you now have a better idea of what training is needed to prepare you for advocacy work.

Now that you know what skills you have as individuals and as a group, you need to look at the resources you have access to and what type of access you have.

**Box 9: Resources Assessment**

<table>
<thead>
<tr>
<th>The resources I have or our group has are:</th>
<th>Unlimited Access</th>
<th>Limited Access</th>
<th>No</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access to telephone</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to telephone directory</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to a computer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to a working printer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to the internet</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to the radio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to television</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to newspapers</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to magazines</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access to a library</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This tool makes you think about the resources you have access to. It also requires you to think about the level of access you have – whether it is reliable access or not. It can also act as a guide for seeking assistance – you could ask for a computer or internet access. Networking and collaboration with other groups and organizations does not have to be on a large scale. It can be something as basic as access to the internet for research or to send out emails.

The three tools should give you a clear idea of who you can work with, and what skills and resources you possess or have access to. This is the preliminary stage of your planning. We now go to the more substantial part of your campaign planning when you decide exactly what it is you want and how you will go about getting it. That is, you decide on a vision, goals, objectives, and roles people will play in the anti-corruption campaign.
Vision

A vision is about the future. It is what you would like that future to look like. It is the ideal end goal of your campaign. It is also a driving statement for you and your group.

A vision statement is usually short and brief. It can be one sentence, or at most, a few sentences long. This means you have to be concise when writing your vision statement. Therefore, you should take your time when drafting it.

Examples of Vision Statements:

Transparency International
“...government, politics, business, civil society and the daily lives of people are free of corruption.”

Disney
“To make people happy”

When deciding on the vision statement, your group can take the following steps:

Step 1 – On paper, a blackboard/whiteboard or in an exercise book that everyone can see, list all the possibilities that describes what your ideal situation would be;

Step 2 – As a group look for common themes in your list and note these down in a separate list;

Step 3 – Taking the themes you have noted and discuss which best describes what you all want as your future; and

Step 4 – Once you have narrowed down your theme, discuss how you can best put this in one sentence. Write out a series of sentences and work your way through them until you get one that describes your ideal situation.

At the end of these steps, you should have a vision for your advocacy campaign. Write this vision statement out on a large piece of paper so that everyone can see it and be reminded of the ideal future you want. If you can, you should display it in a public place like a notice board or the wall of your meeting room. You may also want to ensure that everyone in the group has a copy of the vision as a personal reminder.

Goals

A goal is the overall purpose of a campaign. It is ‘to do’ something. A campaign can have two or three goals.

A goal should have three elements:

1. The specific issue/problem you want to tackle with your campaign.
2. The focus population and location of the campaign.
3. Use terms that are easily understood by everyone (both inside and outside of the group).

A good reminder for writing a goal is that it should be short and clear.
Box 10: Examples of well-written goals and badly-written goals are provided below

<table>
<thead>
<tr>
<th>Good</th>
<th>Bad</th>
</tr>
</thead>
<tbody>
<tr>
<td>To reduce the stigma of mental illness in community X by conducting outreach programmes with survivors of mental illness.</td>
<td>Increase acceptance of mental illness in Country F.</td>
</tr>
<tr>
<td>To increase the capacity of youth groups on Island Y by providing advocacy skills training.</td>
<td>Increase knowledge of advocacy amongst youth.</td>
</tr>
<tr>
<td>To reduce the incidence of teenage parenthood among young people ages 15 to 18 years in Country Z.</td>
<td>Reduce teenage parents in the country.</td>
</tr>
</tbody>
</table>

Note that the good goals begin with the word ‘To’, meaning that the group will be active - they will do something

Developing Goals

Step 1 – In your group discuss how and what you will do to work towards making your vision come true. On paper, a blackboard/whiteboard or in an exercise book that everyone can see, put down the key points of your discussion;

Step 2 – As a group put your key points into themes/similar sets and note these down in a separate list;

Step 3 – Taking the themes you have noted and discuss which ones best suit the work you want to do (it might be all of them); and

Step 4 – Once you have narrowed down your theme, construct the goals for your campaign. Remember to be action oriented. Write down what you want ‘to do’.

At the end of these steps, you should have goals for your advocacy campaign. Write these goals on a large piece of paper so that everyone can see it. If you can, you should display it in a public place. You may also want to ensure that everyone in the group has a copy of the goals as a personal reminder.

Objectives

Objectives describe the expected results of your campaign. They are more specific than goals. An objective should have the following elements:

1. Identify who will be reached (the audience);
2. What change will be achieved;
3. In what time period the change will be achieved (by when);
4. Where (the location) the change will occur.

Box 11: Objectives must be SMART – specific, measurable, appropriate, realistic and time-bound.

<table>
<thead>
<tr>
<th>Specific to avoid interpretation</th>
<th>Measurable to monitor and evaluate progress – preferably numerical</th>
<th>Appropriate to the issue, goals and your group</th>
<th>Realistic meaning that it is achievable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tme-bound with a specific time for achieving your objectives</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Some things to think about when writing your objectives are:

1. Choose action verbs that indicate change and the direction of that change (for example words such as increase, decrease, improve, strengthen, enhance) – avoid verbs that refer to activities or implementation such as train, provide, produce, establish or create;
2. Think about what success means for your campaign and how you would show that success;
3. Describe the focus population and the desired change; and
4. Include the location and time period for each objective.

Box 12: Examples of well written objectives and badly written objectives are provided below:

<table>
<thead>
<tr>
<th>Good objectives</th>
<th>Bad objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>To increase awareness of mental illness in 5 villages in community X.</td>
<td>To provide community outreach programmes on mental illness.</td>
</tr>
<tr>
<td>To improve the public speaking skills of ten young people ages 15-25 years on Island Y by the end of 2016.</td>
<td>To train young people in public speaking.</td>
</tr>
<tr>
<td>To improve access to condoms for young people ages 15-18 years in Country Z.</td>
<td>To have better access to condoms for young people.</td>
</tr>
</tbody>
</table>

Note that the objectives, like goals, begin with the word ‘to’ - again indicating action.

Developing Objectives

**Step 1** – In your group discuss how you will achieve your campaign goals. Think about what exactly you want to achieve at the end of the campaign. On paper, a blackboard/ whiteboard or in an exercise book that everyone can see, put down the key points of your discussion; and

**Step 2** – Discuss who your target audience will be – think about location, age, gender and so forth. Take note of your discussions and come to a decision; and

**Step 3** - Once you have narrowed down your audience, construct the objectives for each of your goals. Remember to be SMART and action oriented. Write down what you want ‘to do’; and

At the end of these steps, you should have objectives for your advocacy campaign. Write these objectives out on a large piece of paper so that everyone can see it. If you can, you should display it in a public place. You may also want to ensure that everyone in the group has a copy of the objectives as a personal reminder.

Roles

While everyone might be excited about a campaign it is always important to take a realistic look at the roles people can actually play. The roles pyramid below asks important questions that you and your group members should answer before embarking on a campaign. Remember to respect people’s answers and decisions. Also remember that from small things, big things can grow. While someone can only be a friend of the campaign at the moment, they might become its visionary in the future.
Tool 7: Roles Pyramid

An effective group recognizes its true skills set. You as an individual and as a group need to ask yourself the questions outlined in the pyramid to determine the role you can play in the anti-corruption campaign. Be realistic. Think about your strengths and weaknesses, and the real time you have to work in these roles.

Once everyone has had a chance to ask themselves the questions in the pyramid, the whole group can have a discussion about what roles each person can play. The group may want to set up sub-committees to look after particular aspects of the campaign such as logistics, research, cultural protocols, resourcing and mobilization crew (fans and friends).

Section 3: Now Go and Get Creative!

This section provides essential information about the types of activities you can undertake in your campaign.
First complete the Speed Test.

Speed Test for Now Go and Get Creative!

Take a few minutes to try this self-test.

It is an opportunity to begin your thinking on the topics to be covered in this section. When you have completed the reading and activities you may want to come back to this self-test to see if your answers have changed.

Box 13: Anti-Corruption activities

Mark the appropriate box to answer the following questions:

<table>
<thead>
<tr>
<th>QUESTIONS</th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can you name three anti-corruption activities you can undertake as an individual?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know how to link your activities to the objectives and goals of your campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Can you name five activities your group can do for their anti-corruption campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know how to use the networking and resources assessment tools when deciding the activities for your campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know how to get community support for your activities?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know how to get your message across to your target audience?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know about the types of funding you can get for your activities?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

There are a number of activities that can be done in your campaign. While we have so far concentrated on a group planning a campaign, you as an individual can also undertake some activities to prevent and fight corruption. It can be something as simple as writing a letter to the editor of the local newspaper or the news department of the local radio station or your Member of Parliament raising your concerns about corruption. Or you can use social media such as Facebook to put out messages about anti-corruption. Whatever your message is, be sure to be well informed on the topic – do your research. Also be careful that you do not unjustly accuse anyone of corruption. This might be seen as libel which is a legal term meaning that you have defamed someone’s character in writing. The person can sue you for your remarks.

Other ways in which individuals can fight corruption and advocate for integrity are through using their artistic talents such as singing, taking pictures, painting, creating a video and so forth. For example, you can compose a song in your language about the effects of corruption and offer to sing it at gatherings. If the song is catchy, people may learn the words and sing it too. In this way the message about how corruption affects the community is spread. This can be a very effective way of spreading a message because it requires very little resources, is easily transported, and enjoyable to listen to. Also it can be passed to anyone regardless of their education. Other activities people enjoy are looking at pictures and watching videos so these are other methods you could explore using. A photo exhibition can be created for the printed photographs or a projector can be used to show digital photographs. The projector can also be used to show videos. Furthermore, these photographs and videos can be uploaded on to social media sites to trigger commentary and debate.

As we have so far used tools to help groups plan their campaigns, we will now look at how those groups can choose activities to achieve their objectives.
Choosing Activities

Once your group has decided on its objectives, it needs to decide how it will achieve each of them. That is, it needs to decide what activities it will undertake to achieve each objective. Each objective will need 2 to 4 activities.

Tips:

1. Consider the skills and expertise of your group.
2. Familiarize yourself with other anti-corruption campaigns (both locally and in other parts of the world) – look at what activities they undertook, what worked for them and what didn’t work. It can also challenge you to do something different therefore exciting because it hasn’t been done before.
3. Speak to your target audience, find out what activities interests them. This way you can be sure that they will be interested in your campaign.
4. Know your target audience – what are their levels of education (this will help you decide the most suitable activities), what times are best for them to do activities (their schedule is more important than yours because they do not need to be at your campaign), how can you enter the community (do you have to ask permission from elders) and so forth.

Box 14: Example of activities from our earlier goals and objectives

Below is an example of activities from our earlier goals and objectives:

<table>
<thead>
<tr>
<th>GOAL</th>
<th>OBJECTIVE</th>
<th>ACTIVITIES</th>
</tr>
</thead>
</table>
| To increase the capacity of youth groups on Island Y by providing advocacy skills training. | 1. To improve the public speaking skills of ten young people ages 15-25 years on Island Y by the end of 2016 | 1. Form partnerships with local speaking groups such as Toastmasters, Rotary International, and the Schools Debating Society  
2. Hold a 2-day workshop on public speaking for young people ages 15-25 years in partnership with a speaking group. Topics to include researching your topic, voice projection, and mannerisms.  
3. Host a seminar on corruption with representatives from the Police Force, youth groups, religious organizations, and the media.  
4. In the community, host a debate on corruption with the participants from the 2-day public speaking workshop. |

You will notice that the four activities above are directly related to the objective and goal. Forming partnerships with speaking groups means they can be the facilitators in the public speaking workshop. This will ensure participants will have knowledgeable and skilled teachers. The seminar will provide more information and generate discussion on corruption, and finally the debate will give participants the opportunity to explore and practice what they have learned. If at the debate, there are five participants on either side then the objective of improving the skills of ten young people is achieved. Each of these young people would then take the skills they have learned back to their youth groups and therefore increasing the capacity of those groups.

You will notice that the seminar and debate has included a wider group of people and therefore your campaign reach would have extended beyond your objectives.
**Think**

What type of activities can you do for your anti-corruption campaign?

You can ask this question when conducting your advocacy campaign. In a workshop setting:

*Have a brainstorming session with the whole group asking them what other activities they would be interested in. Tell participants that no idea is wrong or too big. Once the brainstorming is done, divide the participants into small groups of 6-8 people each. Provide each group with paper and a permanent marker. Ask each group to discuss and decide which activities from the brainstorming list they would be interested in and how would they go about creating those activities.*

*Ask each small group to report back to the big group.*

**Time:** 10 minutes for brainstorming, 15 minutes for small group discussions

*Note: This activity can be done by your group in the initial planning stages when trying to figure out what activities could be undertaken for your objectives.*

**Figure 5: Options for Group Activities**

[Diagram showing various options for group activities such as seminars with a guest speaker, workshops, gathering information, conducting research on corruption, forming partnerships, hosting an art/debate/song/video competition, social media (FB, YouTube), community discussions, hosting an art/debate/song/video competition, and petitions.]

At this point you may want to go back to the Network Mapping Tool in Section 2 and use that to decide who you can work with for your activities. You may also want to revisit the Resources Assessment Tool to decide how you can work with your network.
Important Considerations

Getting community support

Being a member of your community does not automatically give you access to that community. Every community or group has its gatekeepers. These are influential people whose opinions can persuade a group or community to act in a certain way. While they usually are in positions of leadership, this is not always the case. A gatekeeper could be a chief, elder, successful business person, teacher, pastor, successful farmer or fisherperson, popular person or someone viewed as a hard worker. Your first priority should be to win their support. You can do this by:

- Having informal meetings on a one-on-one basis;
- Making your intentions clear from the start;
- Clearly explaining what you want to do and why you want to do it;
- State the type of help you need;
- Do not make unrealistic promises or raise expectation that you are unlikely to achieve.

It is also important that you know the cultural protocols needed for community discussions. In some communities a series of meetings must occur between yourself or your representative and the chief or elders before permission will be granted for you to hold an activity. These protocols are important to follow as it can determine the success or failure of your campaign.

You should always be mindful of the schedules of the community. For example, holding an activity in the afternoons after school may not be the best time because young people may have sports training or chores they must complete. Remember that community members are not required to be at your activity, but you do require them to be there for the activity to occur.

The target audience

Always research your target audience. Get an idea of their level of education as this will determine how you will pitch your activity. If it uses ‘hard’ English words people may not participate. Be mindful too of technical terms – not everyone has had the benefit of your training. Using the local language may be the best way to get your message across. Be sure you are confident in using it and that you use it correctly.

Your messages

Your message does not have to be verbal. People respond to visuals so use photographs, videos, drawings, music, dance, posters. Allow people to look at, hear, touch and feel these visuals. This can generate discussions that continue beyond your activity. Also keep your message simple and easy to understand. Do not assume anything! Tell people what the message is and ask if they understand it.

Funding

While not all activities need funding, it is always good to have some for resources at the very least. It is important to remember that funding can be in cash or in kind. People and organizations often can provide resources rather than actual cash. Part of networking can be with government and non-government organizations, business houses, and/or people interested in anti-corruption who are willing to provide paper and permanent markers, a venue, refreshments and so forth for your activity. As part of your campaign you can formally request assistance. At the end of each activity you should always thank those who have supported it, regardless of how small or large their contribution. It might also be nice to do so in a formal letter of thanks.

In terms of cash funding, it is important to research where you can access that funding, what requirements you have to fulfil and what type of acquittals and reporting needs to be done. You need to also be mindful of all deadlines. Your network can help you with your research, and possibly introduce you to potential funders.
Section 4: Looking back and moving forward

This section provides essential information about monitoring, evaluating and reporting on your activities and campaign.
First complete the Speed Test.

Speed Test for Looking back and moving forward

Take a few minutes to try this self-test.

It is an opportunity to begin your thinking on the topics to be covered in this section. When you have completed the reading and activities you may want to come back to this self-test to see if your answers have changed.

Box 15: Monitoring, evaluation and reporting on activities

Mark the appropriate box to answer the following questions:

<table>
<thead>
<tr>
<th>QUESTIONS</th>
<th>Yes</th>
<th>No</th>
<th>Unsure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you know what monitoring and evaluation are?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know what process and result indicators are?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know what ‘means of verification’ is?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you practice being a reflective advocate?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you know how to write a report of your campaign?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Keeping track of your activities is important to ensure that your campaign is working towards its goals and will be successful. This is what monitoring and evaluation is about. So far we have established the vision, goals, objectives, and activities of our campaign. Now we will need to establish a way of measuring our success (or not) by deciding on indicators and the means by which we are going to verify this information.

Indicators must be clear and precise. They must also be relevant, easy to measure and understandable. You must also have the time and sometimes the money to gather this information.

There are two types of indicators. Process indicators measure the implementation of activities throughout a campaign while results indicators measure whether change has occurred or the objectives have been achieved.

Box 16: Identifying the process indicators earlier examples of activities

<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>INDICATORS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Form partnerships with local speaking groups such as Toastmasters,</td>
<td>1. At least 2 partnerships are formed.</td>
</tr>
<tr>
<td>Rotary International, and the Schools Debating Society</td>
<td>2. (a) A 2-day workshop held on public speaking.</td>
</tr>
<tr>
<td>2. Hold a 2-day workshop on public speaking for young people ages</td>
<td>(b) Participants were aged between 15-25 years.</td>
</tr>
<tr>
<td>15-25 years in partnership with a speaking group. Topics to include</td>
<td>(c) Workshop was co-facilitated with a partner speaking group.</td>
</tr>
<tr>
<td>researching your topic, voice projection, and mannerisms.</td>
<td></td>
</tr>
<tr>
<td>3. Host a seminar on corruption with representatives from the Police</td>
<td></td>
</tr>
<tr>
<td>Force, youth groups, religious organizations, and the media.</td>
<td></td>
</tr>
<tr>
<td>4. Host a community debate on corruption with the participants from the</td>
<td></td>
</tr>
<tr>
<td>2-day public speaking workshop.</td>
<td></td>
</tr>
</tbody>
</table>

Your Task - Complete the process indicators for the remainder of the activities.

*Note that there can be more than one indicator for an activity.
Box 17: Identifying the results indicators earlier examples of activities

<table>
<thead>
<tr>
<th>OBJECTIVE</th>
<th>INDICATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>To increase the awareness and understanding of corruption and anti-corruption issues amongst youth living in Funafuti, Tuvalu.</td>
<td>100 young people living on Funafuti, Tuvalu have participated in two anti-corruption awareness workshops and the International Anti-Corruption Day celebrations by 30 December 2016.</td>
</tr>
</tbody>
</table>

Your Task – Construct the results indicator for the second objective

Once you have decided on the indicators, you need to be able to gather the information to verify that the tasks were actually completed/achieved. Using the same activities as before together with their indicators, the means of verification have to now be added to the table.

Box 18: Means of Verification

<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>INDICATORS</th>
<th>MEANS OF VERIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Form partnerships with local speaking groups such as Toastmasters, Rotary International, and the Schools Debating Society 2. Hold a two-day workshop on public speaking for young people ages 15-25 years in partnership with a speaking group. Topics to include researching your topic, voice projection and mannerisms.</td>
<td>1. At least 2 partnerships are formed. 2. (a) A two-day workshop held on public speaking. (b) Participants were aged between 15-25 years. (c) Workshop was co-facilitated with a partner speaking group.</td>
<td>1. Emailed and print correspondence with partners will be filed in the group’s records. 2. (a) The agenda, schedule of the meeting and photographs from the two days will be saved as an electronic file. (b) The participant lists and demographic information sheets will be saved as an electronic file. (c) List of facilitators and their organizations will be matched to the correspondence with partners.</td>
</tr>
</tbody>
</table>

Your task – Go back to the first task of establishing process indicators for activities. Now list the means of verification for those indicators.

Once you have established your indicators and means of verification, it becomes easier to measure your success or failure in terms of your activities and objectives. It is important that you assess the activities on a regular basis to ensure you are on track in terms of your planned objectives and goals. There are times when an activity will not go to plan. By making sure you are keeping track, you can easily deal with these times.

Being the Reflective Advocate

At the beginning of this Toolkit we talked about being a reflective advocate. That is one that reflects on what has happened, analyzes the information for lessons learned and then actions their new ideas. At the completion of an activity and a campaign it is important that the individuals and the group as a whole reflect on the successes and challenges that they encountered. This is a way of celebrating your achievements while at the same time recognizing what you could do better next time. A well planned campaign and activities can be a morale booster for everyone and act as an energizer for new ideas and new activities. The group reflection therefore should have an element of formality such as a debriefing session or a getaway. You may want to invite your partners to this get together.
Reporting

You should always have a written report of your activities and campaign. This ensures that a record is kept, and that any partners you may have worked with know where their resources were used and how effective it was. It also shows your appreciation for the trust that they have placed in you. It is, of course, part of being transparent and accountable for your actions and the use of resources! As an anti-corruption advocate it is a way to practice what you preach and lead by example.

Report writing is made easier with a well-planned activity and campaign that has measurable objectives. The information that you gather from your indicators is invaluable to your report. You must also account for any money that was used. Be sure that there are invoices and receipts to show payments including a statement of earnings and expenses in your report.

Box 19: Basic report template from the organization "Funds for NGOs"24

A basic report should include the following:

Title of the report: This is the first thing that the reader reads of the report. An idea would be to add a cover page to your report, including the title of your report with an appropriate picture that helps making your report catchy and creates an interest in the reader to read the report.

Content list: You must include the table of contents with the page numbers, especially if the report is large one.

Abstract: An abstract is something you should write after you write the whole report but should be situated in the beginning of the report. For writing the abstract, read the whole report and try to bring out the essence of your report. Try to keep it short.

Introduction: Instead of jumping straight to the report of events or progress or the activities, do give an introduction. In the introduction, you should start with the background of the problem. Then write the problem statement itself, what motivates you to solve the problem (i.e. why it is important to solve the problem) and how are you trying to solve it through your campaign. In short, an introduction is nothing but a short description of your campaign and how the particular activities that you are reporting on relate to the objectives or goals of the campaign. After giving a description of the work, document how the rest of the report organized. It gives the reader an idea of your work and he/she reads your report with this in mind. The length of the introduction should be proportionate to the aim of the report, the intended audience as well as the length of the report itself. It is not a good practice to give an introduction of one page for a two or three-page report.

Main body of the report: After the introduction, you can start the main body of your report (i.e. the report on the events or activities of the campaign).

Lessons learned: These are experiences (either positive or negative) distilled from a project or activity that we could take into account as guidance for future work.

Conclusion: It is very important to conclude your report. In the conclusion, you may add the main take away points/lessons learned, what was the result of your work, how your work has contributed towards making this world a better place and the challenges encountered. Conclusions should be concise.

Summary: If your report is very detailed and complex, append a report summary at the end of the report. In the summary, state the purpose of the report, scope of the report, its key findings and the results.

24 See Funds for NGOs ‘Reflecting structure of report format’ https://www.fundsforngos.org/free-resources-for-ngos/reflecting-structure-report-prepare-format/
Once you have written your report, you should make it available to all group members for their input and review. When the report is finalized, give a copy to the community you worked with (e.g. to the elders who gave you permission to work in their community). Sometimes groups can verbally present the report at a community meeting. All partners should also be given copies of the report as they were also part of the campaign in various ways. Funders should definitely get copies of the report too, as they need to see how their money was spent. It is important though to find out if funders have their own reporting templates. If they do, then you must use that template to report to them.

Conclusion

This Toolkit is designed to help you with your anti-corruption campaigns. As stated in the introduction it recognizes your knowledge, skills, creativity and energy. It sets out to reinforce those attributes and at the same time provide tools that you can use to further your advocacy campaigns.

Good luck with your Anti-Corruption Campaigns!
Anti-Corruption Glossary25

From Transparency International at http://www.transparency.org/glossary

Access to Information / Right to Information
The right by law – often through freedom of information legislation (acts or laws) – to access key facts and data from the government and any public body based on the notion that citizens can obtain information which is in the possession of the state.

Accountability
The concept that individuals, agencies and organisations (public, private and civil society) are held responsible for reporting their activities and executing their powers properly. It also includes the responsibility for money or other entrusted property.

Asset Recovery
Asset recovery is the legal process through which a country, government and/or its citizens recover from another jurisdiction the resources and other assets that were stolen through corruption.

Audit
An internal or external examination of an organization’s accounts, processes, functions and performance to produce an independent and credible assessment of their compliance with applicable laws and regulations.

Bribery
The offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations, favors etc.).

Civil Society
The arena, outside of the family, state and market where people associate to advance a common set of interests. Voluntary and community groups, non-governmental organisations (NGOs), trade unions and faith-based organisations commonly are included in this sphere, making the term broader than an NGO.

Code of Conduct
Statement of principles and values that establishes a set of expectations and standards for how an organization, government body, company, affiliated group or individual will behave, including minimal levels of compliance and disciplinary actions for the organization, its staff and volunteers.

Compliance
Refers to the procedures, systems or departments within public agencies or companies that ensure all legal, operational and financial activities are in conformity with current laws, rules, norms, regulations, standards and public expectations.

Conflict of Interests
Situation where an individual or the entity for which they work, whether a government, business, media outlet or civil society organization, is confronted with choosing between the duties and demands of their position and their own private interests.

Conventions
International and regional agreements signed or formally adopted through ratification by multiple states that establish rules, laws and standards on issues which are typically cross-border in nature and require a common approach for effective, multilateral cooperation.

Corruption
The abuse of entrusted power for private gain. Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs. Also see ‘grand corruption’, ‘petty corruption’ and ‘political corruption’.

25 This is not the entire Anti-Corruption Glossary. You should check the Transparency International website for more including animations of the terms.
Embezzlement
When a person holding office in an institution, organization or company dishonestly and illegally appropriates, uses or traffics the funds and goods they have been entrusted with for personal enrichment or other activities.

Ethics
Based on core values and norms, a set of standards for conduct in government, companies and society that guides decisions, choices and actions.

Extortion
Act of utilizing, either directly or indirectly, one’s access to a position of power or knowledge to demand unmerited cooperation or compensation as a result of coercive threats.

Fraud
To cheat. The offence of intentionally deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise). Countries consider such offences to be criminal or a violation of civil law.

Governance
A concept that goes beyond the traditional notion of government to focus on the relationships between leaders, public institutions and citizens, including the processes by which they make and implement decisions. The term can also be applied to companies and NGOs. ‘Good’ governance is characterized as being participatory, accountable, transparent, efficient, responsive and inclusive, respecting the rule of law and minimizing opportunities for corruption.

Integrity
Behaviors and actions consistent with a set of moral or ethical principles and standards, embraced by individuals as well as institutions, that create a barrier to corruption. See ‘ethics’.

Lobbying
Any activity carried out to influence a government or institution’s policies and decisions in favor of a specific cause or outcome. Even when allowed by law, these acts can become distortive if disproportionate levels of influence exist – by companies, associations, organisations and individuals.

Money Laundering
Money laundering is the process of concealing the origin, ownership or destination of illegally or dishonestly obtained money by hiding it within legitimate economic activities to make them appear legal.

National Integrity Systems
A holistic approach to analyze both the extent and causes of corruption in a particular country by looking at the system of checks and balances and institutional pillars that form a society, including the executive, legislature, judiciary, ombudsman, media, civil society and business sector.
Developed by Transparency International, this framework is useful for evaluating a country’s institutional strengths and weaknesses and developing an anti-corruption strategy.

Nepotism
Form of favoritism based on acquaintances and familiar relationships whereby someone in an official position exploits his or her power and authority to provide a job or favour to a family member or friend, even though he or she may not be qualified or deserving.

Oversight
The process of independently monitoring and investigating – internally or externally – the operations and activities of a government agency, company or civil society organization to ensure accountability and efficient use of resources.
**Patronage**
Form of favoritism in which a person is selected, regardless of qualifications or entitlement, for a job or government benefit because of affiliations or connections.

**Petty Corruption**
Everyday abuse of entrusted power by public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies. See ‘corruption’.

**Political Contribution**
Any contribution, made in cash or in kind, to support a political cause. Examples include gifts of property or services, advertising or promotional activities endorsing a political party, and the purchase of tickets to fundraising events.

**Political Corruption**
Manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth. See ‘corruption’, ‘grand corruption’, and ‘petty corruption’

**Political Will**
Demonstration and commitment by political leaders to address the challenges facing society or to fulfil a political pledge, such as fighting corruption or increasing political participation, by pursuing the appropriate policy responses, including wide-spread reforms.

**Private Sector**
Any company, household and institution that is not controlled by the public sector and which is run for private profit. Private sector corruption is characterized by groups from this sector influencing decisions and actions that lead to abuses of entrusted power.

**Procurement**
A multi-step process of established procedures to acquire goods and services by any individual, company or organization — from the initial needs assessment to the contract’s award and service delivery.

**Public Sector**
The government and its decentralized units — including the police, military, public roads and transit authorities, primary schools and healthcare system — that use public funds and provide services based on the motivation to improve citizens’ lives rather than to make a profit.

**Rule of Law**
Legal and political systems, structures and practices that condition a government’s actions to protect citizens’ rights and liberties, maintain law and order, and encourage the effective functioning of the country.

**Solicitation**
The act of a person asking, ordering or enticing someone else to commit bribery or another crime.

**Tax Evasion / Tax Avoidance**
Tax evasion is the illegal non-payment or under-payment of taxes, usually by deliberately making a false declaration or no declaration to tax authorities – such as by declaring less income, profits or gains than the amounts actually earned, or by overstating deductions. It entails criminal or civil legal penalties. Tax avoidance is the legal practice of seeking to minimize a tax bill by taking advantage of a loophole or exception to the rules, or adopting an unintended interpretation of the tax code. It usually refers to the practice of seeking to avoid paying tax by adhering to the letter of the law but opposed to the spirit of the law. Proving intention is difficult; therefore, the dividing line between avoidance and evasion is often unclear.
Transparency
Characteristic of governments, companies, organisations and individuals of being open in the clear disclosure of information, rules, plans, processes and actions.
As a principle, public officials, civil servants, the managers and directors of companies and organisations, and board trustees have a duty to act visibly, predictably and understandably to promote participation and accountability and allow third parties to easily perceive what actions are being performed.

Whistleblowing
Making a disclosure in the public interest by an employee, director or external person, in an attempt to reveal neglect or abuses within the activities of an organization, government body or company (or one of its business partners) that threaten public interest, its integrity and reputation.
The term in English is largely positive although many languages lack a similar concept with the same connotation.
Appendix 1
Country Information: Cook Islands

The Cook Islands has been a state party to the UNCAC since 17 October 2011.

Relevant anti-corruption legislation
The Cook Islands has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is to establish a strong and independent anti-corruption framework that is adequately resourced.

The Cook Islands’ Ombudsman was established through the Ombudsman Act 1984. The Ombudsman is in charge of investigating complaints reported by citizens about the central government and, since 2007, he or she is also responsible for the Cook Islands’ Human Rights Office. The Cook Islands Police Act enables the ombudsman to investigate police conduct, procedures, policies, decisions, recommendations, omissions and acts.

Other anti-corruption bodies in the Cook Islands include the:
• Anti-Corruption Commission;
• Office of the Auditor-General;
• Office of the Public Expenditure Review Committee and Audit;
• Electoral Office;
• Financial Intelligence Unit;
• Financial Supervisory Commission;
• Public Service Commission;
• Cook Islands Police Service; and
• Judiciary.

Ombudsman
There are four pieces of legislation that establish the jurisdiction of the Ombudsman: the Ombudsman Act 1984, the Official Information Act, the Disability Act 2008 and the Police Act 2012. The Ombudsman is appointed by the Queen’s Representative on advice of the Prime Minister for a term of three years. The Ombudsman is an officer of, and responsible to, Parliament.

The Ombudsman Act sets out the Ombudsman’s jurisdiction over the public sector in the Cook Islands, including local government. The various public sector agencies are named in a Schedule attached to the legislation.

The Official Information Act gives members of the public an avenue to complain to the Ombudsman if they do not received a satisfactory response from a public sector agency following a freedom of information request.

The Disability Act allows a person, or a person acting on behalf of another, to complain to the Ombudsman if they experience unlawful discrimination on the basis of a disability, or about an act that is contrary to the legislation. This Act covers both the public and the private sector.

The Police Act enables the Ombudsman to investigate police conduct, procedures, policies, decisions, recommendations, omissions and acts.

More information about the Ombudsman can be found here.
Anti-Corruption Committee
The Anti-Corruption Committee was formalized by Cabinet on 20 September 2011. The Anti-Corruption Committee’s role is to promote and strengthen measures to prevent and combat corruption by, amongst other things, proposing anti-corruption policies to Cabinet, and following up matters that may be referred to it by Cabinet. The Anti-Corruption Committee provides a forum for the committee members to share information, expertise, and resources for the purpose of achieving Anti-Corruption Committee’s goals and objectives. More information about the Anti-Corruption Committee can be found here.

Office of the Auditor-General
The Audit Office of the Cook Islands was established in 1996 after the adoption of the Public Expenditure Review Committee and Audit Act 1995-96. Before that, the government audit was conducted by the government of New Zealand. The office is in charge of the financial integrity of the state.

The Office of the Public Expenditure Review Committee and Audit
The Office of the Public Expenditure Review Committee and Audit is established under section 4 of the Public Expenditure Review Committee and Audit Act 1995-96. By law, the office is independent from the executive branch of government.

The Public Expenditure Review Committee and Audit is responsible for ensuring that adequate public accountability is achieved.26

More information about the Public Expenditure Review Committee and Audit can be found here.

Electoral Office
The Electoral Act 2004 created the Electoral Office, located in the Ministry of Justice and responsible for the administration and proper conduct of elections. The chief electoral officer is nominated by the government.

The registration of voters and maintenance of the rolls is carried out by a different entity, the Electoral Registration Office.

Financial Intelligence Unit
The Cook Islands Financial Intelligence Unit (CIFIU) was established in 2002 as an independent agency of the Government of the Cook Islands. On 1 July 2012 the CIFIU became a specialised independent unit of the Financial Supervisory Commission. Relevant legislation includes the Money Laundering Prevention Act 2000 and the Financial Intelligence Unit Act 2015.

The role of the Financial Intelligence Unit is to facilitate the prevention, detection, investigation and prosecution of money-laundering, the financing of terrorism and other serious offences in the Cook Islands.

The Financial Intelligence Unit receives Suspicious Transaction Reports from financial institutions and is responsible for analysing and disseminating them to the relevant authorities. The Financial Intelligence Unit also provides training to financial institutions and is in charge of raising awareness among the public. It undertakes research and provides statistics on money-laundering trends in the country. It is also tasked to regulate and conduct compliance examinations of all registered Reporting Institutions in the Cook Islands as stipulated by the Financial Intelligence Unit Act 2015.

More information about the Financial Intelligence Unit can be found here.

Financial Supervisory Commission
The Financial Supervisory Commission is established under section 3 of the Financial Supervisory Commission Act 2003. The duties and functions of the Commission are outlined in sections 15 and 16 of that Act and include, among other things, regulating licensed financial institutions in the Cook Islands in a manner which is to internationally accepted standards; to keep under review, the operation of the Cook Islands legislation relating to licensed financial institutions and the effectiveness of supervision of licensed financial institutions; and to continually monitor the extent to which Cook Islands legislation and the supervision of licensed financial institutions comply with internationally accepted standards.

More information about the Financial Supervisory Commission can be found here.

Public Service Commission
The Public Service Commission is established under Article 73 of the Constitution.

The legislated function for the Office of the Public Service Commissioner is to assist the Public Service Commissioner with the administration of the Public Service Act 2009. Statutory functions include recruitment, performance management, establishing personnel policies and standards for the public service, ensuring compliance with the public service code of conduct and resolving employment disputes.

More information about the Office of the Public Service Commissioner can be found here.

Police
The Commissioner of Police is appointed by the Queen’s Representative by Order in Executive Council, on the recommendation of the Prime Minister, for a term not exceeding 5 years. Section 10 of the Police Act 2012 establishes the independence of the Commissioner of Police. The Commissioner is responsible to the Minister for carrying out the functions and duties of Police; the general conduct of Police; the effective, efficient, and economical management of Police; and tendering advice to the Minister.

Judiciary
Part IV of the Constitution establishes the judiciary.

The Cook Islands’ judiciary is composed of the High Court of the Cook Islands, the Court of Appeal and the Privy Council located in London.

Public Service
Part VI of the Constitution establishes the Cook Islands public service. The Public Service Act 2009 outlines the procedure for appointments, resignation and retirement.

Mechanism to report corruption
The Ombudsman of the Cook Islands takes complaints from members of the public about a range of issues of concern. All complaints to the Ombudsman must be made in writing. Every investigation conducted by the Ombudsman must be conducted in secret. The Official Information Act gives the Ombudsman the mandate to review and investigate complaints regarding access to information requests. The Cook Islands Police Act enables the Ombudsman to investigate police conduct, procedures, policies, decisions, recommendations, omissions and acts.

Complaints to the Ombudsman can be made online.

Complaints in relation to exercise of responsibilities imposed by the legislation administered by the Office of the Public Expenditure Review Committee and Audit and the incorrect implementation of policies and procedures can be to a complaints officer here.

The general nature of complaints may include the misuse of public funds and resources by public officials; purchasing and tender irregularities; financial mismanagement and conflicts of interest.

Public complaints regarding the conduct from Heads of Ministries, Heads of Departments and public service employees can be reported to the Office of the Public Service Commissioner. Public complaints regarding service delivery or poor public administration can also be reported to the Office of the Public Service Commissioner.

Employment disputes are to be lodged with the respective head of department or Public Service Commissioner (for heads of departments only) within 14 days of the circumstances giving rise to the dispute. The Head of Department (or Commissioner) must resolve the dispute. Unresolved disputes are referred to the Public Service Commissioner or Public Service Appeal Board (for Heads of Departments) to resolve.
Appendix 2

Country Information: Federated States of Micronesia

The UNCAC was acceded to by the Government of the Federated States of Micronesia on 21 March 2012 and entered into force on 20 April 2012.

Relevant anti-corruption legislation
The Federated States of Micronesia has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is to establish a strong and independent anti-corruption framework that is adequately resourced.

There is no ombudsman in the classical model in operation in the Federated States of Micronesia. There is, however, an officer called an ombudsman attached to the courts in the country. The judicial ombudsman performs a number of roles associated with the courts but does not perform any functions of a classic parliamentary Ombudsman.

Relevant anti-corruption bodies in the Federated States of Micronesia include the:

• Department of Justice;
• Office of the National Public Auditor;
• National Election Director and National Election Commissioners;
• Police Force;
• Financial Intelligence Unit;
• Personnel Officer; and
• Judiciary.

Department of Justice (Attorney-General)
The Head of the Department of Justice is the Secretary of Justice (otherwise, known as the Attorney-General).

Office of the National Public Auditor
The Supreme Audit Institution is the National Public Auditor, as provided for in section 3 of article XII of the Constitution. The National Public Auditor is appointed by the President, with the advice and consent of Congress, for a four year term. Removal from office before the conclusion of his/her term requires a two thirds vote of Congress. States also provide for auditors.

The National Public Auditor is governed by the Public Auditors Act 2002. The National Public Auditor is mandated to audit the finances of the National Government, and all agencies, contractors and states to which national monies are disbursed (section 505, Title 55, Chapter 5 of the FSM Code). The National Public Auditor has the power to conduct financial, compliance, efficiency and program results audits, using a private accounting firm, if necessary. In addition, the National Public Auditor has a range of investigative powers available to it for these investigations, including the ability to subpoena witnesses and compel information.

At a minimum, audits are required to be done annually or semi-annually, depending on whether the audit relates to National or State agencies. The National Public Auditor is required to file a report at least once a year (section 506(6)).

The Public Auditor’s Office consists of 2 divisions - investigations and audit. The Investigations Division is responsible for investigating corruption-related offences that fall under its mandate and would then refer the matter to the Department of Justice. More information about the National Public Auditor can be found here.

National Election Director and National Election Commissioners
National Elections are administered by a National Election Director and National Election Commissioners in each State. Pursuant to FSM
Code Title 9, Chapter 3, the Director is appointed by the President. The Commissioners are appointed by the Director in consultation with the governors of each state. The duties of the National Election Director include maintaining a national election register, reviewing nomination petitions, preparing a registered voters list, promulgate rules, investigating irregularities, certifying and declaring results and ruling on petitions for recounts.

**Police Force**

The structure of policing in the Federated States of Micronesia is based upon the American model. A National Police Force is in place, supplemented by four State police forces, as well as municipal policing bodies at the community level. The national police are under the authority of the national Minister of Justice. The state forces are under the authority of the state counterparts. Each is responsible for enforcing laws within their jurisdiction.

**Financial Intelligence Unit**

In September 2008, Congress passed the Financial Transactions Reporting Act 2008. The law is intended to “facilitate the prevention, detection, investigation and prosecution of money laundering, the financing of terrorism and other serious offenses; enable the establishment of a Financial Intelligence Unit that will collect, analyze, investigate and disseminate suspicious transactions reports and other financial information; and require financial institutions to undertake due diligence measures and other measures to combat money laundering and the financing of terrorism.”

The Financial Intelligence Unit sits under the National Police (and thus, the Department of Justice). The Financial Intelligence Unit receives suspicious transaction reports from two banks (the Bank of the Federated States of Micronesia and the Bank of Guam), two insurance dealers, one cashier (Western Union) and other smaller banking dealers.

**Personnel Officer**

The National Public Service System Act establishes the central Government system of personnel administration, which is specifically stated to be “based on merit principles and accepted personnel methods governing the classification of positions and the employment, conduct, movement, and separation of public officers and employees” (section 121, Chapter 1, Title 22 of FSM Code). To administer the system, a Personnel Officer is appointed by the President, with the advice and consent of the Congress or an appropriate committee (section 122). The Personnel Officer is directly responsible to the President and serves as a “principal adviser to the President and his staff on all matters concerning personnel administration and employee training”. S/he has to administer the central Government system of personnel administration, including preparing proposed policies and regulations, developing and maintaining a system of performance evaluation to appraise the productivity of employees in the public service, and developing training programs for the improvement of employee skills.

**Judiciary**

There are two systems of courts in the Federated States of Micronesia. The Supreme Court of the Federated States of Micronesia hears cases which fall within the National government’s jurisdiction. State courts hear cases which fall within state jurisdiction. Supreme Court judges are appointed for life subject to mandatory retirement. Their appointment is subject to congressional approval. The National Court of Appeal comprises Supreme Court judges and, where necessary (because of conflict of interest) judges from other South Pacific Countries.

Justices of the Supreme Court are required to adhere to the standards of the Code of Judicial Conduct of the American Bar Association. The Chief Justice may prescribe stricter or additional standards. Judges who have an interest in a case before them are guided by the provisions of section 124 and are bound to disqualify themselves.

Judges of the Supreme Court of the Federated States of Micronesia have a disclosure requirement. Each year they disclose their assets to the Clerk of the Court. In State Courts there is no such requirement.

**Public Service**

27 FSM Code Title 4, § 122.
The National Public Service System applies to all employees of and positions in the Government of FSM, with the exception of the persons listed in section 117 of Title 52 of the FSM Code on Public Employment. This includes members of Congress, judges and court personnel, members of any board, public corporation, commission or similar body, amongst others.

**Mechanism to report corruption**

There is no independent authority to receive complaints, conduct investigations and make recommendations on the maladministration within government. A member of the public who is aggrieved by any administrative action by any Government agency is entitled to a hearing before the highest administrative official of the department or office of which the agency is a part (sections 107 and 108 Title 17, Chapter 1 of the FSM Code).

The National Public Auditor has a Hotline which encourages members of the public to “Be a HERO” by reporting any incident of fraud, abuse, or waste to National Public Auditor. The National Public Auditor website advises that incidents of personal time and attendance abuse should be reported to the Personnel Administration Office, while misuse of Government vehicles should be reported to the appropriate Law Enforcement Agency. The National Public Auditor specifically notes that complaints and grievances should be registered through appropriate management and grievance channels. The National Public Auditor also receives complaints over the telephone or in person, and can also investigate a matter of his/her own accord. The National Police can receive corruption-related complaints from the public. Services of Micronesian Legal Services are available to a person with an administrative grievance. There is no law to protect whistleblowers in the Federated States of Micronesia.
Appendix 3  
Country Information: Fiji


Relevant anti-corruption legislation
Fiji has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is to establish a strong and independent anti-corruption framework that is adequately resourced.

Fiji Independent Commission Against Corruption (FICAC)
The Fiji Independent Commission against Corruption (FICAC) was established after the adoption of the Fiji Independent Commission Against Corruption Promulgation 2007, with the mandate to spearhead the fight against corruption in Fiji and the promotion of integrity, accountability and transparency. The FICAC was set up to investigate and prosecute corruption and bribery cases, to guide the government’s anti-corruption efforts, and to raise awareness and educate citizens. The promulgation gives the FICAC the mandate to arrest suspects without arrest warrant and to prosecute them without the prior agreement of the Director of Public Prosecutions. More information about FICAC can be found here.

Other institutions relevant to the fight against corruption in Fiji include the:
• Accountability and Transparency Commission;
• Constitutional Offices Commission;
• Public Service Commission;
• Police Force;
• National Anti-Money Laundering Council;
• Auditor-General;
• Attorney-General;
• Financial Intelligence Unit;
• Electoral Commission and Supervisor of Elections;
• Director of Public Prosecutions; and
• Judiciary.

Accountability and Transparency Commission
Section 121 of the Constitution of the Republic of Fiji establishes the Accountability and Transparency Commission. The Constitution provides that “a written law shall provide the Commission with the jurisdiction, authority and powers to receive and investigate complaints against permanent secretaries and all persons holding a public office” and that “in the performance of its functions or the exercise of its authority and powers, the Commission shall be independent and shall not be subject to the direction or control of any person or authority, except by a court of law or as otherwise prescribed by written law.” The Fiji Government has drafted the legislation pertaining to the establishment of code of conducts for public office holders and the Transparency and Accountability Commission.28

Constitutional Offices Commission
The Constitutional Offices Commission established under section 132 of the Constitution of the Republic of Fiji is responsible for providing advice to the President for the appointment the following Constitutional Offices:
(a) the chairperson and the members of the Human Rights and Anti-Discrimination Commission;
(b) the chairperson and the members of the Electoral Commission;
(c) Supervisor of Elections;
(d) Secretary-General to Parliament;
(e) the chairperson and the members of the Public Service Commission;
(f) Commissioner of Police;
(g) Commissioner of the Fiji Corrections Service;
(h) Commander of the Republic of Fiji Military Forces;
(i) Auditor-General; and
(j) Governor of the Reserve Bank of Fiji.

Public Service Commission
Section 125 of the Constitution of the Republic of Fiji maintains the Public Service Commission as established under the State Services Decree 2009. The Chairman and members of the Public Service Commission are appointed by the President on the advice of the Constitutional Offices Commission.
The Public Service Commission’s functions are to appoint and remove permanent secretaries, with the agreement of the Prime Minister; to institute disciplinary action against permanent secretaries; and to make such other appointments and perform such other duties, functions and responsibilities as may be prescribed by written law.
More information about the Public Service Commission can be found here.

National Anti-Money Laundering Council
Section 35 of the Financial Transactions Reporting Act 2004 establishes the National Anti-Money Laundering Council. The functions of the Council are to advise the Financial Intelligence Unit and the Minister on any matters relating to the prevention of money laundering or the financing of terrorism; to make recommendations to the Financial Intelligence Unit and the Minister on any matter relating to the prevention of money laundering or the financing of terrorism; to assist the Financial Intelligence Unit and the Minister in the formulation of policies or strategies relating to the prevention of money laundering or the financing of terrorism; and to assist the Financial Intelligence Unit in coordination between various Government departments and with statutory corporations.

Office of the Auditor General
The Office of the Auditor-General is established under section 151 and 152 of the Constitution. The Financial Management Act 2004 requires the Auditor General to audit financial statements and annual appropriation statement of the whole of government and the annual financial statement of each government entity, including all budget and non-budget entities. The Audit Act [Cap 70] elaborates on the powers of the Auditor General and specifies the procedures, and timelines in the conduct of assurance and performance audits, and special investigations and the reporting of these to the Parliament. More information about the Office of the Auditor-General can be found here.

Financial Intelligence Unit
Fiji’s Financial Intelligence Unit (FIU) was established in 2006 under the Financial Transactions Reporting Act 2004. The FIU is hosted, funded and administered by the Reserve Bank of Fiji. The role of the FIU is to receive all Suspicious Transaction Reports, analyse the information and develop intelligence, refer information about potential money laundering activities and offences to relevant law enforcement agencies and assist the investigation and prosecution of cases, issue policy and guidelines, and provide training and education.
More information about the Financial Intelligence Unit can be found here.

Judiciary
Section 97 of the Constitution establishes judicial power and authority in the Supreme Court, the Court of Appeal, the High Court, the Magistrates Court, and in such other courts or tribunals as are created by law. The Constitution provides that the courts established by the Administration of Justice Decree 2009 are to continue in existence.

The judiciary is subject to a Code of Conduct, which applies to “any person exercising judicial functions.” Although the Code does not require a declaration of assets it does required judicial officers to “be well informed and knowledgeable about his or her own personal, fiduciary, and financial interests and should be reasonably informed about the financial interests of members of the judicial officer’s family.”

The website of the judiciary outlines the vision, mission and values of the judiciary

**Mechanism to report corruption**

FICAC provides a toll-free hotline and enables anonymous reporting of corruption via its website. The FICAC has powers to conduct its own investigation and prosecute its own case.
Appendix 4

Country Information: Kiribati

The Republic of Kiribati acceded to the UNCAC on 27 September 2013 and it entered into force for Kiribati on the same date.

Relevant anti-corruption legislation
Kiribati has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is to establish a strong and independent anti-corruption framework that is adequately resourced.

In the 1977 Constitutional UNCAC, a meeting which discussed the shape and provisions of the Constitution, the issue of the Ombudsman was raised as one of the means of giving meaning to the fundamental human rights provisions of the Constitution. However, Kiribati does not have an anti-corruption commission to act as a watchdog against mismanagement and corrupt behaviour.

Relevant anti-corruption bodies in Kiribati include the:
- Anti-Corruption Coordinating Committee;
- Office of the Auditor-General;
- Public Accounts Committee;
- Attorney-General;
- Electoral Commission;
- Public Service Commission;
- Police Force;
- Financial Intelligence Unit;
- Transnational Crime Unit;
- Anti-Corruption Unit; and
- Judiciary

Anti-Corruption Coordinating Committee
An Anti-Corruption Coordinating Committee is in the process of being established. Its formation was approved by Cabinet, but it is not yet functional. The Committee would comprise the Office of the President, Attorney-General, Director of Public Prosecutions, Police, Customs and Immigration and the Auditor-General.

Office of the Auditor-General
The Office of the Auditor-General is established under section 114(1) of the Constitution. Its authority and responsibilities stipulated under section 114(2) of the Constitution allows the Auditor-General to audit the public accounts of Kiribati and all departments, offices, courts and authorities of the Government, including statutory corporations and government owned companies. Section 114(4) of the Constitution grants the Auditor-General complete independence in discharging her statutory functions without interference or restriction from the Executive System.

Any attempt to violate the Auditor-General’s independency will become the subject of a report to the Maneaba ni Maungatabu (Parliament) in accordance with section 41 of the Public Finance (Control and Audit) Act [Cap 79]. More information about the Auditor-General and the Audit Office can be found here.

Public Accounts Committee
The Constitution of Kiribati establishes the Public Accounts Committee which consists of three members of the Maneaba elected by the Maneaba. The functions of the Committee include considering the accounts of the Government in conjunction with the report of the Director of Audit; reporting to the Maneaba, in the case of any excess or unauthorised expenditure of funds, the reasons for such
expenditure; proposing any measures it considers necessary to ensure that the funds of the Government are properly and economically spent; and where a report on the examination and audit of the accounts of any corporation, statutory board, body or commission is required by law to be laid before the Maneaba, to consider, report on and make recommendations to the Maneaba in respect of such accounts.

**Attorney-General**
The Attorney-General is a Constitutional office established under section 42 of the Constitution of Kiribati. Section 42(4) of the Constitution outlines the functions of the Attorney-General. Section 42(8) states that in the exercise of these functions, the Attorney-General shall not be subject to the direction or control of any other person or authority.

More information about the Office of the Attorney-General can be found here.

**Electoral Commission**
The Constitution of Kiribati establishes the Electoral Commission as an independent entity in charge of the registration of voters and the proper conduct of elections. The Electoral Commission consists of the Chief Electoral Commissioner and not less than two nor more than four Commissioners. The Head (Chief Electoral Commissioner), and members of the Commission, are appointed by the Berettitenti (President), acting in accordance with the advice of the Cabinet.

**Public Service Commission**
The Constitution of Kiribati establishes the Public Service Commission which is to consist of a Chairman and four other Commissioners. These Commissioners are to be appointed by - and may be removed by - the Berettitenti, acting in accordance with the advice of the Speaker and the Chief Justice acting jointly. There is a restriction on the ability for Commissioners to be appointed to or to act in any public office during the time in which he or she is a Commissioner or within 18 months after acting as Commissioner. Members of the Maneaba ni Maungatabu and public employees are ineligible for appointment as Commissioner.

**Police Service**
The Police Service Act 2008 continues the existence of the Kiribati Police. The Commissioner of Police is to be appointed in accordance with section 100(3) of the Constitution of Kiribati, and may be suspended or removed from office in accordance with section 101 of the Constitution.

**Financial Intelligence Unit**
Kiribati’s Financial Intelligence Unit was established within the Kiribati Police Service under section 16 of the Proceeds of Crime Act 2003. It consists of one sergeant officer. The Financial Intelligence Unit’s activities cover both the public and private sectors. As a unit within the Kiribati Police Service, the Financial Intelligence Unit comes under the direct supervision of the Commissioner of Police.

Under section 17 of the Proceeds of Crime Act 2003, the Unit is empowered to receive and review reports of suspicious transactions issued by financial institutions and dealers, and to send the report to the Attorney-General if there are reasonable grounds for suspecting the transaction is suspicious.

**Transnational Crime Unit**
The Transnational Crime Unit (TCU) under the Kiribati Police was established in 2008. There is one officer working in the TCU. The TCU coordinates intelligence and shares information with other TCUs in the Pacific to detect and prevent transnational crime.

**Anti-Corruption Unit**
The Kiribati Police established the Anti-Corruption Unit, as part of its overall reform in 2013. The Unit is situated in the Criminal

---

Investigation Division, which investigates serious criminal offences and deals with crime recording, investigation, prosecution of non-serious offences. The Anti-Corruption Unit is comprised of three police officers, while the Criminal Investigation Division is composed of over twenty officers. The Anti-Corruption Unit conducts internal and external investigations and refers serious matters for prosecution to the Attorney General.

**Judiciary**
The Constitution of Kiribati provides for an independent Judiciary.

**Mechanism to report corruption**
There are limited internal complaints handling procedures for the general public to make complaints. Kiribati does not have an ombudsman, an ombudsman’s office or an equivalent institution to deal with complaints and reports of misbehaviour coming from citizens.

By law, a person can complain about a public servant within the framework of the National Conditions of Service. It becomes the responsibility of the Senior Responsible Officer to address the complaint. The focus is on breaches of service and punitive action against the individual public servant. If the finding is against that person, the sanctions can include loss of employment. The Report of the Australian Commonwealth Ombudsman noted that these investigations can easily take up to two years to complete.30

The police forces have their own Professional Standards Unit to investigate reports of police abuse and complaints. Certain grievances can be addressed by use of the people’s lawyer (a free service) or private lawyer.

---

30 Commonwealth Ombudsman, Complaint Handling in Pacific Island Nations without an Ombudsman (Sydney: 2009).
Appendix 5
Country Information: Nauru

The UNCAC was acceded to by the Government of Nauru and it entered into force on 11 August 2012.

Relevant anti-corruption legislation
Nauru has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is to establish a strong and independent anti-corruption framework that is adequately resourced.

There is currently no Ombudsman or equivalent institution in Nauru, however the office of the Ombudsman was provided for in the Constitution of Nauru (Parliamentary Amendments) Act 2009. Pursuant to section 38 of the Constitution of Nauru (Parliamentary Amendments) Act, a new Part VB – Ombudsman was to be inserted into the Constitution which outlines the role and functions of the Ombudsman. However, this Act has yet to be given the force of law. The Constitution of Nauru (Accountability Amendments) Bill 2013 now seeks to establish the office of the Ombudsman.

A number of institutions are currently responsible for the fight against corruption in Nauru. These include the:

- Director of Public Prosecutions;
- National Police;
- Financial Intelligence Unit;
- Public Audit Office;
- Chief Secretary of Public Service; and
- Judiciary.

Director of Public Prosecutions
The Constitution of Nauru (Accountability Amendments) Bill 2013 seeks to make the Director of Public Prosecutions a Constitutional office. The Director of Public Prosecutions is not accountable to any other office or position with regard to the powers of prosecution, although administratively he is subject to the Secretary for Justice for budget and resource allocations. The Director of Public Prosecutions cannot direct or control investigations by the police. In terms of manpower, there are no prosecutors in Nauru apart from the Director of Public Prosecutions.

National Police
The National Police Force is situated in the President’s office, and there are no clear provisions establishing their independence, in particular with respect to sensitive or other investigations and operations. The Criminal Investigation Unit is the permanent unit to specialize in proceeds of crime investigations. The Nauru Police Force has an Internal Investigation Unit which strives to ensure full police accountability. The Code of Ethics to which the Nauru Police Force adheres contains standards regarding leadership, relationships with the community, integrity, professionalism, respecting human rights, confidentiality, impartiality, fairness, responsibility, accountability, resource management and customer service. The Constitution of Nauru (Accountability Amendments) Bill 2013 seeks to establish the Nauru Police Force under the Constitution.
Financial Intelligence Unit

Nauru’s Financial Intelligence Unit is established in the Department of Justice and Border Control. The Financial Intelligence Unit is the central agency to receive and analyze suspicious transaction reports and border currency reports as well as to disseminate financial information from these reports to the appropriate enforcement agencies for investigation into suspected criminal activities. No suspicious transaction reports have been received by the Financial Intelligence Unit to date. The Financial Intelligence Unit fulfils its functions under the Anti-Money Laundering Act 2008 independently of law enforcement and criminal justice agencies, but provides support to all agencies.  

The Financial Intelligence Unit is situated in the Ministry of Justice and is subject to its administrative supervision, including budgetary allocations. During the country visit, a representative of the Financial Intelligence Unit indicated that there were no legal provisions to address the independence of the Financial Intelligence Unit and that the adoption of relevant measures was under consideration.

Director of Audit

The Director of Audit is established under article 66 of the Constitution of Nauru. The Audit Act 1973 outlines the duties of the Director of Audit.

Judiciary

Nauru’s judiciary consists of a Court of Appeal, a Supreme Court, a District Court and the Family Court. The Nauru Lands Committee is established under the Nauru Lands Committee Ordinance to determine customary land matters with a right of appeal to the Supreme Court.

Public Service

The legal framework for the recruitment, hiring, retention, promotion and retirement of civil servants in Nauru comprises of:

• the Constitution of Nauru;
• the Public Service Act 2016; and
• in relation to members of the National Police Force, the Nauru Police Force Act 1972.

Mechanism to report corruption

Departments presently have no formal complaint handling procedures. Complaints against magistrates and judges are heard by the Chief Justice, without any further review or determination. A judicial services council or disciplinary board does not exist. There have been no disciplinary cases against members of the judiciary to date.

Appendix 6

Country Information: Niue

Niue has not yet signed the United Nations UNCAC against Corruption.

Relevant anti-corruption legislation
Niue has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is the establishment of a strong and independent anti-corruption framework that is adequately resourced. Relevant anti-corruption bodies include the:

- Complaint Handling Ombudsman Backed Services;
- Audit Office;
- Chief Electoral Officer;
- Financial Intelligence Unit;
- Chief of Police;
- Public Service Commission; and
- Judiciary.

Complaint Handling Ombudsman Backed Services
The Complaint Handling Ombudsman Backed Services was established in 2010 and sits within the Ministry for Justice. The Complaint Handling Ombudsman Backed Services deals with complaints from the public about Government Departments. It is limited to administrative decisions, not those of Parliament or the Public Service Commission that has its own appeals process.

Audit Office
The Government of Niue does not have its own external audit body. In accordance with the Niue Constitution, the Audit Office of New Zealand is mandated to carry out the audit of all public entities in Niue and present its audit report annually to the Niue Assembly. This provision is provided under Article 60(1) and (2) of the Niue Constitution 1974.

The office conducts annual auditing and the Public Expenditure Committee has access to the reports and which are also tabled in the house for debate. It means that should there be any discrepancies in government expenditure, the executive is legally accountable.

Electoral Commission
There is no independent Electoral Commission in Niue. There is however, a Chief Electoral Officer who is appointed by the Niue Public Service Commission or else appointed by Cabinet under constitutional decree.

Financial Intelligence Unit
Section 20 of the Financial Transactions Reporting Act 2006 establishes the Financial Intelligence Unit. The functions of the Financial Intelligence Unit are outlined in section 21 of the Financial Transactions Reporting Act 2006.

Public Service Commission
The Public Service Commission is established under Article 64 of the Constitution. The Commission consists of three members who are appointed by the Cabinet for a term of three years.

Chief of Police
The title of Chief of Police in Niue is equivalent to that of a Commissioner of Police and is independent. The Chief of Police in Niue is also the prosecutor and a coroner. The police investigate and prosecute general criminal offences. However, provision in law such as the Niue Act 1966 section 180(a), (b) is an instrument available to the police to investigate and prosecute any alleged cases of corruption.
and bribery.

Judiciary

Article 45 of the Constitution of Niue 1974 provides for the appointment of the Chief Justice and Judges of the High Court of Niue. Conditions of appointments and removal from the judiciary are clearly set out in the constitution document.

Public Service

The public service is required by the Public Service Regulation, to be politically neutral, meaning that affiliation to a political party is not permitted under any circumstances. This requirement is explicitly written in a contract of employment of senior officials and contracted government employees.

Officials are also required under the Regulation of the Public Service Act 1966 to disclose gifts and personal assets to the Public Service Commission. The register of gifts and personal assets is required by law to be kept and updated by the Public Service Commission.

Under the Public Service Regulation and Manual of Instructions, all public employees are criminally liable for any other corrupt practices too. Senior officials are appointed on merit, and continuation in a senior post is based on performance evaluation. Similarly, all other public employees are continuously assessed for career training and development as well as for promotion.

Mechanism to report corruption

The Complaint Handling Ombudsman Backed Services was established in 2010 and sits within the Ministry for Justice. The Complaint Handling Ombudsman Backed Services deals with complaints from the public about Government Departments. It is limited to administrative decisions, not those of Parliament or the Public Service Commission that has its own appeals process.

Complaints about government services can be made to the head of the department concerned.

The Public Service Commission which is the employing authority, has internal complaint handling procedures for employer-employee disputes within the public service and can also receive complaints from the private sector. The Public Service Commission being the employing authority has a responsibility to investigate any complaint of corruption against the police.

The Public Service Association is one avenue for the public servants to air their grievances. The other is the Appeals Committee whose members are selected by the Public Service Commission.

Administrative decisions are not published, but for any decision that arouses public outcry, avenues for lodging public complaints are available. The courts in recent times have been used by those in the know to review the decisions of the Public Service Commission that affected their employment.
Appendix 7
Country Information: Palau

Palau acceded to the UNAC in 23 April 2009.

Relevant anti-corruption legislation
Palau has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is to establish a strong and independent anti-corruption framework that is adequately resourced. Relevant anti-corruption bodies in Palau include the:

- Ethics Commission;
- Ombudsman;
- Public Auditor;
- Financial Intelligence Unit;
- Attorney-General;
- Office of the Special Prosecutor;
- Police; and
- Judiciary.

Ombudsman
The Fourth Addendum to Executive Order Number 116 established an Ombudsman on the fifth of December 1994. The position resides within the Office of the President, with responsibilities among which is “to receive grievances regarding services, programs and activities provided by the Government and its agencies; to review the merit(s) of each grievance and promptly seek to resolve and assist in the resolution of said grievances.”

Public Auditor
The fundamental purpose of auditing is to provide an internal or external examination of an organisation’s accounts, processes, functions and performance to produce an independent and credible assessment of their compliance with applicable laws and regulations.

Article XII, section 2 of the Constitution provides for a Public Auditor appointed by the President and confirmed by the Olbiil Era Kelulau for a term of six years, which can be renewed. The operational independence of the Public Auditor is entrenched in the Constitution. The powers of the Public Auditor are set out under Section 2(b) of the Constitution. Section 11 of the Code of Ethics Act expands on the powers of the Public Auditor.

Pursuant to section 204 of Title 40 of the Palau National Code, the Public Auditor’s special duties are to act to prevent fraud, waste and abuse in the collection and expenditure of public funds. The Public Auditor has authority to conduct special audits, inspections and investigations of programs and government expenditures and revenues. Section 277 of Title 40 requires the Public Auditor to report reasonable suspicions of violations of Palauan and American criminal law for possible legal action. The Public Auditor, through legal counsel, may investigate and prosecute possible criminal violations by President and Attorney General. The Public Auditor has some auditing responsibilities with regard to campaign statements and financial disclosure statements under the Code of Ethics Act.

The Office has investigative powers on its own initiative, by request and from the audits it produces. These powers extend to subpoenaing records and people. The Office sends matters to the Attorney General or Special Prosecutor. For disciplinary matters, the information is passed onto the relevant authorities, such as the Ethics Commission. The Office was recently mandated by Congress to not only audit the Federal Government, but now also the 15 State Governments. Further information about the Office of the Public Auditor can be found here.

Financial Intelligence Unit
Palau’s Financial Intelligence Unit was established in 2002, pursuant to the Financial Institutions Act 2001 (Title 26, Chapter 10) and the Money Laundering and Proceeds of Crime Act. These laws also triggered the establishment of the Financial Institutions Commission to supervise banks and the Financial Intelligence Unit to investigate suspicious and cash transactions above US$10.000. Furthermore,
section 3300 of Chapter 33, Title 17 of Palau National Code on money laundering, covers a vast array of private sector companies, ranging from casinos to dealers in metals and precious stones as well as trust and company service providers. Further information about the Financial Intelligence Unit can be found here.

**Office of the Special Prosecutor**
The Office of the Special Prosecutor was created through US Public Law 101-219 of 1989. The Special Prosecutor is appointed by the President and confirmed by the Senate to investigate issues of public concern. The position has been vacant for a number of years.
The Special Prosecutor has the power to investigate and prosecute the National and State Governments, including officials for violations of the Constitution and domestic laws or for a failure to implement such laws.

**Police**
The police are in the Bureau of Public Safety, which sits under the Ministry of Justice. The Director of the Bureau reports to the Minister of Justice. The Divisions relevant to corruption offences include the Division of Criminal Investigation (functions are articulated in Executive Order No. 305) and the Division of Corrections (Executive Order No. 288).
In the last five years, there have been four former officers of the Bureau who have been convicted of bribery. Further information about the Bureau of Public Safety can be found here.

**Ethics Commission**
The Ethics Commission was established in 1999, pursuant to section 610(a) of the Code of Ethics (Title 33, Chapter 6). The Commission consists of three members appointed by the President with the advice of the Senate. The term of each member is four years, which is renewable. Members of the Commission cannot hold any other public office or public employment. The Chairman of the Commission is elected by a majority of the Commission. Among the authorized powers of the Ethics Commission are to initiate, receive, and consider charges concerning alleged violations of this Act, initiate or make investigations, and holding hearings (section 610(g)). The Commission shall have authority to bring civil actions on its own behalf, and take other actions consistent with the law to enforce the provisions of his Act (section 610(i)). The Commission also receives complaints from the public.

**Attorney-General**
The Attorney-General’s Office is “headed by the Attorney General who is appointed by and serves at the will of the President” and “shall employ such staff as necessary to carry out its functions and shall be responsible for providing legal services to the Republic, without limitation including: prosecuting criminal and civil cases on behalf of the Republic” (section 1, Executive Order No. 288). During the country visit, the reviewers were informed that there are currently four prosecutors focusing on criminal matters, two on civil matters, one investigator and three support personnel; there are two vacancies, one prosecutor for criminal matters and one for civil matters).
The Office includes Americans, one Fijian and one Palauan. Currently an Office Manual is in the process of being developed. Further information about the Office of the Attorney-General can be found here.

**Mechanism to report corruption**
The Ethics Commission can receive complaints from the public. The Public Auditor may receive and investigate complaints or information from any person concerning the possible existence of any activity constituting fraud, waste and abuse in the collection and expenditure of public funds. The Public Auditor is prevented from disclosing the identity of anyone who reports on governmental misconduct in relation to public funds without their written consent, unless disclosure is necessary and unavoidable.

Section 662(b) of Title 40 of the Palau National Code allows any Palauan citizen to bring an action against a public official or any person violating the Procurement Code, and any taxpayer may bring an action against any public official that causes expenditures in excess of the amount allocated to a government account, or any public official who takes action against and employee who refuses to over expend an account.
Complaints about government services can be made to the head of the department.

The Special Prosecutor investigates issues of public concern. The Special Prosecutor has power to receive complaints and investigate and prosecute any allegations of violations of the Constitution and laws of the Republic, Trust Territory and Districts or failure to implement such laws.
The Ethics Commission has power “to initiate, receive, and consider charges concerning alleged violations of the Act, initiate or make investigations, and hold hearings” among others. The Commission can bring civil actions to enforce the provisions of the Act and has an ongoing function of educating public officials and employees about their duties under the Act.

Citizens can seek legal redress through private attorneys or the Micronesian Legal Service, which is a service external to government.
Appendix 8
Country Information: Papua New Guinea


Relevant anti-corruption legislation
Papua New Guinea has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is the establishment of a strong and independent anti-corruption framework that is adequately resourced.

Papua New Guinea recently created the Independent Commission against Corruption. Amongst its functions include receiving and considering complaints regarding alleged or suspected corrupt conduct and the investigation such of those complaints as it considers appropriate. An organic law is yet to be passed elaborating on the functions of the Independent Commission against Corruption. The Ombudsman Commission also receives and investigates complaints.

Other relevant bodies include the:
• Attorney-General;
• Solicitor-General;
• Auditor-General;
• Public Accounts Committee;
• Ombudsman Commission;
• Electoral Commission;
• Police Force;
• Financial Intelligence Unit; and
• Public Service Commission.

Independent Commission Against Corruption
The Constitution of the Independent State of Papua New Guinea was amended in 2014 to establish the Independent Commission against Corruption (ICAC). The functions of the ICAC include to:
• receive and consider complaints regarding alleged or suspected corrupt conduct;
• conduct investigations into alleged or suspected corrupt conduct; and
• encourage, cooperate and coordinate with other public and private sector agencies in relation to anti-corruption measures.

The amendments to the Constitution establish the independence of the ICAC, stating that it is not subject to the direction or control of any person or authority, or to judicial review on the ground that it has exceeded its jurisdiction. An Organic Law, as required by the Constitution, has not yet been passed by Parliament.

Attorney-General
The Attorney General Act 1989 establishes the Office of Attorney-General of Papua New Guinea. The Attorney-General is the principal legal adviser to the National Executive.

Solicitor-General
The Attorney General Act 1989 establishes the Office of Solicitor-General within the National Public Service. The Solicitor-General is to be appointed by the Attorney-General by notice in the National Gazette. The Solicitor-General must be a lawyer fully admitted to practise in accordance with the Lawyers Act 1986, who has practised as a lawyer within the country for a period of at least five years prior to

60 Pacific Youth Anti-Corruption Advocate’s Toolkit
his appointment as Solicitor-General. The primary function of the Solicitor-General is to appear as an advocate for the State in matters coming before the courts in Papua New Guinea.

**Auditor-General**

The fundamental purpose of auditing is to provide an internal or external examination of an organisation’s accounts, processes, functions and performance to produce an independent and credible assessment of their compliance with applicable laws and regulations.

The office of Auditor-General is a Constitutional office established under section 213 of the Constitution of the Independent State of Papua New Guinea. The Auditor-General is to be appointed by the Head of State, acting with, and in accordance with, the advice of the National Executive Council given after receiving reports from the Public Services Commission and the Public Accounts Committee. Section 213(3) of the Constitution provides that, in the performance of his functions under this Constitution, the Auditor-General is not subject to the control or direction of any person or authority. Section 20AA of the Audit Act 1989 provides that the Auditor-General is to appoint for each province an officer to be Provincial Auditor for the province.

**Public Accounts Committee**

The Constitution of the Independent State of Papua New Guinea establishes the Public Accounts Committee as a Permanent Parliamentary Committee. The primary function of the Public Accounts Committee is to examine and report to the Parliament on the public accounts of Papua New Guinea and on the control of and on transactions with or concerning, the public moneys and property of Papua New Guinea.

**Ombudsman Commission**

The Constitution of the Independent State of Papua New Guinea establishes the Ombudsman Commission which is to consist of a Chief Ombudsman and two Ombudsmen. Section 217(5) of the Constitution provides for the independence of the Ombudsman Commission. Section 8 of the Organic Law on the Ombudsman Commission provides that a member of the Commission shall not actively engage in politics; engage either directly or indirectly in the management or control of a corporation or other body of persons carrying on business for profit; or acquire by way of gift or otherwise, or use or hold in any other manner any interest in, any property of Papua New Guinea or solicit, accept or receive any other benefit in addition to his terms and conditions of employment.

The functions of the Ombudsman Commission include the investigation, on its own initiative or on complaint by a person affected, of any conduct on the part of any State Service or a member of any State Service; any governmental body, or an officer or employee of a governmental body.

**Electoral Commission**

Section 126 of the Constitution of the Independent State of Papua New Guinea establishes the Electoral Commission. Section 126(6) of the Constitution provides that the Electoral Commission is not subject to direction or control by any person or authority. The Electoral Commission is responsible for the conduct of elections.

**Financial Intelligence Unit**

Section 13 of the Proceeds of Crime Act 2005 establishes Papua New Guinea’s Financial Intelligence Unit. The Financial Intelligence Unit receives suspicious transaction reports from cash dealers.

**Public Service Commission**

Section 190 of the Constitution of the Independent State of Papua New Guinea establishes the Public Services Commission. The Commission consists of three members who shall be appointed for a term of five years by the Head of State, acting with, and in accordance with, the advice of a Public Services Commission Appointments Committee. The Public Services Commission is not subject to direction or control when carrying out its function under section 191(1)(a) of the Constitution.

The Public Services Commission is responsible for the review of personnel matters connected with the National Public Service and the continuous review of the State Services and the services of other governmental bodies.

**Police Force**

The primary functions of the Police Force are to preserve peace and good order and to maintain and, as necessary, enforce the law in an impartial and objective manner. The independence of the Police force is provided for in the Constitution. The Commissioner of Police is responsible for the superintendence, efficient organization and control of the Police Force.
**Judiciary**

Division 5 of the Constitution provides for the administration of justice. The Supreme Court consists of the Chief Justice, the Deputy Chief Justice and the other Judges of the National Court (excluding the acting Judges). The National Court consists of the Chief Justice; the Deputy Chief Justice; and not less than four or more than six other Judges, or such greater number as is determined by or under an Act of the Parliament.

**Mechanism to report corruption**

Papua New Guinea recently created the Independent Commission against Corruption. Amongst its functions include receiving and considering complaints regarding alleged or suspected corrupt conduct and the investigation such of those complaints as it considers appropriate. An organic law is yet to be passed elaborating on the functions of the Independent Commission against Corruption.

The Ombudsman Commission also receives and investigates complaints. The Commission can investigate administrative conduct by national and provincial government bodies, a Minister or the Leader or Deputy Leader of the Opposition. It can also investigate discriminatory conduct and the conduct of leaders under the Leadership Code. As well as dealing with complaints from members of the public, the Commission conducts investigations on its own initiative into administrative conduct that may be of concern.

The Commission has a discretion not to investigate if the complaint is trivial, frivolous, vexatious or not made in good faith, is not within jurisdiction, the complainant has available to him another remedy or channel of complaint that he could reasonably be expected to use, they do not have sufficient interest in the subject of the complaint or the complaint has been too long delayed to justify an investigation, it has before it matters more worthy of its attention or it has insufficient resources.

The Commission is a recommendation body and can publish the results of any investigation by forwarding it to specified government officials. The Ombudsman can also require the results of an investigation to be tabled in the Parliament. The Commission may refer a leader to the Public Prosecutor if satisfied that a leader is guilty of misconduct.
Appendix 9

Country Information: Republic of the Marshall Islands


Relevant anti-corruption legislation

The Republic of the Marshall Islands has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework

An important part in the fight against corruption is the establishment of a strong and independent anti-corruption framework that is adequately resourced.

There is currently no Ombudsman or equivalent institution in the Republic of the Marshall Islands. The Constitutional UNCAC 2015 lists as Proposal No. SC18 – “To make appropriate provisions in the Constitution to provide for the establishment of an Office of the Ombudsman, the duties and responsibilities of such office, the manner of appointment, and removal, tenure and compensation.”

The US Government rents Kwajalein Atoll from the Republic of the Marshall Islands for use as a military base. This enterprise has been the second largest employer of Marshallese. Previously there was a person appointed as an ombudsman on Kwajalein to take complaints from Marshallese employees about working conditions. That position has lapsed.

Relevant anti-corruption bodies in the Republic of the Marshall Islands include the:

- Government Ethics Board;
- Ethics Commission
- Auditor-General;
- Attorney-General;
- Domestic Financial Intelligence Unit;
- Public Service Commission;
- Police; and
- Judiciary.

Government Ethics Board

The Government Ethics Board is established under Part IV of the Ethics in Government Act 1993. The Board consists of the Attorney-General, the Auditor-General and the Chief Secretary or his or her respective designee. The Ethics Board deals with conflict of interests and other principles of good administrative conduct by leaders and public servants. The Government Ethics Board is primarily responsible for imposing penalties for violations of the ethical standards set forth in the Ethics and Government Act 1993.

Ethics Commission

The Ethics Commission is created under the Procurement Code Act 1988. The Ethics Commission consists of the Secretary of Foreign Affairs, Secretary of Finance and the Attorney-General. The Ethics Commission is responsible for imposing penalties for violation of the ethical standards set out in the Procurement Code Act 1988.

Auditor-General

The Auditor-General is established under Article VIII, section 13 of the Constitution of the Republic of the Marshall Islands. The Auditor-General is appointed by the President, after nomination by the Speaker and will approval of the Nitijela, signified by resolution. The Auditor-General may resign at any time but cannot be removed or suspended from office except on the like grounds and in the like manner as a judge of the High Court or of the Supreme Court. The Auditor-General (Definition of Duties, Functions and Powers) Act 1986 elaborates on the functions of the Auditor-General. More information about the office of the Auditor-General can be found here.

Attorney-General

The Attorney-General is established under the Constitution of the Republic of the Marshall Islands. The Attorney-General is an officer of the Public Service and is to have the same qualifications as those required for appointment as a judge of the High Court. The Attorney-

Domestic Financial Intelligence Unit
The Nitijela Cabinet established the Domestic Financial Intelligence Unit on 21 November 2000, as documented in Cabinet Minute 236. This Cabinet decision established the Domestic Financial Intelligence Unit to comprise of the Banking Commissioner as Head, the Commissioner of Police, and Chief of Revenue and Taxation Division and a representative from the Attorney General’s Department in a supportive role. The Domestic Financial Intelligence Unit can receive, analyze, and disseminate cash and suspicious transaction reports.

Public Service Commission
The Public Service Commission is a Constitutional office created under Article VII, section 5 of the Constitution of the Republic of the Marshall Islands. The Chairman and other members of the Public Service Commission are to be appointed by the Cabinet, acting with the approval of the Nitijela, signified by resolution. A member of the Public Service Commission is appointed for a term of not more than three years, but may be reappointed. No member of the Public Service Commission may hold concurrently any office in the Public Service. Section 9 of the Constitution outlines the functions of the Public Service Commission. These functions are elaborated upon in the Public Service Commission Act 1979.

Police
The Department of Public Safety is the consolidated law enforcement agency for the Republic of the Marshall Islands. Part II, Division 1 of the Public Safety Act 1988, and specifically sections 503 and 504 respectively, establish the office of the Department of Public Safety and the Head of the Department, the Commissioner of Public Safety. The functions, powers and duties are contained in Part 11, Division 3 (Powers and Duties) and Part V (General) and Part VI (Undercover Investigation Division). The Commissioner of Public Safety is required to be appointed by the Minister, with the approval of the Cabinet. He may be removed by the Minister, in the same manner, with or without cause. The Criminal Investigative Division within the Department of Public Safety is the primary police organization to carry out investigations into money-laundering.

Judiciary
The Judiciary is established under the Constitution. Article VI, section 1 of the Constitution establishes the independence of the judiciary by providing that “the judicial power of the Republic of the Marshall Islands shall be independent of the legislative and executive powers.” The Judiciary Act reaffirms this principle of independence.

Article VI, section 1 of the Constitution contains a number of anti-corruption concepts including by providing that “no judge shall take part in the decision of any case in which that judge has previously played a role or with respect to which he is otherwise disabled by any conflict of interest.”

The Judicial Service Commission recommends to the Cabinet the appointment of chief justices of the Supreme Court and the High Court and the chief judge of the Traditional Rights Court.

The Judicial Service Commission is also established under the Constitution. Article VI, section 5 provides for its independence by providing that “the Judicial Service Commission shall not receive any direction from the Cabinet or from any other authority or person, but shall act independently.” Anyone may complain to the Judicial Service Commission about the conduct of a judge, including a violation of the Code of Judicial Conduct; provided, however, the Commission also may commence proceedings on any information that is made known to it without formal complaint (see section 7 Code of Judicial Conduct). The judiciary publishes the results of the Judicial Services Commission’s review of complaints in its annual reports. The Code of Judicial Conduct affirms the independence of the judiciary.

**Mechanism to report corruption**

While there is no one service to receive and investigate complaints, there are a variety of existing complaint mechanisms in the Republic of the Marshall Islands.


Anyone may complain to the Judicial Service Commission about the conduct of a judge, including a violation of the Code of Judicial Conduct; provided, however, the Commission also may commence proceedings on any information that is made known to it without formal complaint (see section 7 Code of Judicial Conduct). The judiciary publishes the results of the Judicial Services Commission’s review of complaints in its annual reports.

Section 914 of the Auditor-General (Definition of Duties, Functions and Powers) Act 1986 provides that the Auditor-General may receive and investigate complaints or information from any person concerning possible existence of any activity constituting fraud, waste or abuse in the collection and expenditure of public funds. The identity of the complainant must not be disclosed unless consent is provided or the Auditor-General determines the disclosure is necessary and unavoidable during the course of the investigation, in which case, the person must be notified in writing prior to disclosure.

Some specific legislative Acts provide for the making of complaints. For example, the Labour (Non Resident Workers) Act 2006 provides that any person may complain to the Minister in writing about the exercise of functions or duties of officers under the Act and empowers the Minister and the Public Service Commission, on the Ministers request, to discipline an officer where there is evidence of various misconduct offences.

An individual can complain directly to the departmental secretary or the responsible minister.

The Public Service Commission has processes for dealing with grievances by public servants concerning employee rights.

The Administrative Procedures Act 1979 provides for administrative reviews at departmental level and judicial review of decisions relating to adoption of rules and licensing that are contested.

Citizens can seek legal redress through private attorneys or the Micronesian Legal Service.
Appendix 10

Country Information: Samoa

Samoa has not signed the United Nations UNCAC against Corruption.

Relevant anti-corruption legislation
Samoa has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is to establish a strong and independent anti-corruption framework that is adequately resourced. Relevant anti-corruption bodies in Samoa include the:

- Ombudsman;
- Attorney-General;
- Director of Public Prosecutions;
- Auditor-General;
- Money Laundering Prevention Authority;
- Money Laundering Prevention Task Force;
- Financial Intelligence Unit;
- Samoan Police Force; and
- Judiciary.

Ombudsman
The Ombudsman is established under Article 82A of the Constitution. The Ombudsman is appointed by the Head of State, His Highness Tui Atua Tupua Tamasese Efi, acting on the recommendation of the Legislative Assembly for a term of six years. Section 6 of the Ombudsman (Komesina o Sulufaiga) Act 2013 provides for the independence of the Ombudsman.

The principal function of the Ombudsman is to conduct independent investigations into complaints against administrative actions. The Ombudsman may also conduct own motion investigations that suggest possible systemic concerns. More information about the Ombudsman can be found here.

Attorney General
Article 41 of the Constitution provides for the appointment of an Attorney-General by the Head of State, His Highness Tui Atua Tupua Tamasese Efi, acting on the advice of the Prime Minister. The Attorney-General must be a person qualified to be a Judge of the Supreme Court.

The Attorney-General provides advice on legal matters referred to him or her by the Head of State, Cabinet, the Prime Minister or any Minister. The Attorney-General is also responsible for all civil proceedings involving Government and criminal proceedings. The Attorney-General also drafts legislation. More information about the Attorney-General can be found here.

Director of Public Prosecutions
Article 41A of the Constitution establishes the Director of Public Prosecutions appointed by the Head of State, acting on the advice of the Prime Minister, for a term of six years. The Director of Public Prosecutions must be a person who is qualified to be appointed as a judge of the Supreme Court.

Auditor-General

---

34 Ombudsman (Komesina o Sulufaiga) Act 2013, s 11(1).
35 Ombudsman (Komesina o Sulufaiga) Act 2013, s 11(2).
Section 97 of the Constitution provides for the Controller and Auditor-General to be appointed by the Head of State, acting on the advice of the Prime Minister. A person appointed as Controller and Auditor-General holds office for a term of 12 years. The Controller and the Auditor-General are responsible for auditing public assets, liabilities and equity including public money.

The Audit Office specified under Article 97(1)(b) of the Constitution is established by section 11 of the Audit Act 2013 and consists of the Controller and Auditor General; the Assistant Auditor; officers and employees of the Audit Office; and any other person, including consultants and contractors, authorised to exercise or perform any of the powers or functions of the Controller. More information about the Audit Office can be found here.

Money Laundering Prevention Authority
The Money Laundering Prevention Authority established under section 4 of the Money Laundering Prevention Act 2007 is, formally, responsible for supervising financial institutions under the Act; issuing guidelines to financial institutions on customer due diligence; and for establishing the Samoa Financial Intelligence Unit. The functions of the Money Laundering Prevention Authority are performed by the Governor of the Central Bank of Samoa, who also chairs the Money Laundering Prevention Task Force.

Money-Laundering Prevention Task Force
The Money Laundering Prevention Task Force is established under section 5 of the Money Laundering Prevention Act 2007. The Task Force consists of the Governor of the Central Bank or such other person as may be designated by the Governor, as the Chairperson; the Attorney-General; the Commissioner of Police; the Chief Executive Officer of the Samoa International Finance Authority; the Head of the Customs department; the Head of the Immigration department; the Director of the Financial Intelligence Unit; the Director of the Public Prosecutions; and such other persons as may be appointed by the Minister, acting on the advice of the Authority. More information about the Task Force can be found here.

Financial Intelligence Unit
Section 6 of the Money Laundering Prevention Act 2007 establishes the Financial Intelligence Unit by the Money Laundering Prevention Authority. The Financial Intelligence Unit consists of a Director appointed by the Authority and such other persons as may be appointed by the Authority. Section 7 of the Money Laundering Prevention Act 2007 outlines the functions of the Financial Intelligence Unit which includes the receipt and investigation of suspicious transactions reported by financial institutions.

Samoan Police Service
The Samoan Police Service is the designated authority responsible for investigating money laundering and terrorist financing offences. The Criminal Investigation Division of the police is responsible for investigating domestic cases and commercial crime, including money-laundering. The Commissioner of Police is a member of the Money Laundering Prevention Task Force.

Judiciary
Samoa has an independent judiciary and a separate court to resolve disputes over land and traditional titles.

Mechanism to report corruption
The Ombudsman conducts independent investigations into complaints against actions including failure to act, recommendations and decisions of official agencies which relate to a matter of administration. The Ombudsman may receive complaints against central government departments, government corporations, statutory boards and authorities.

Under section 68 of the Police Service Act 2009, the Ombudsman also has certain oversight responsibilities in respect of the Ministry of Police and Prison Services Professional Standards Unit and how it handles complaints against Ministry of Police and Prison Services and its members.

The Police has recently established a Professional Standards Unit charged with the investigation of complaints against the Police. A complaint can be made:

• at your local Police Station;
• by telephoning the Professional Standards Unit on 22222 extension 180;
• by writing to the Superintendent, Professional Standards Unit at the Police Headquarters, Apia.

A person can go to the Ombudsman should they be not satisfied with the handling of their concerns by the Professional Standards Unit. Complaints can be made to the Ombudsman through its website.
Appendix 11
Country Information: Solomon Islands

Solomon Islands acceded to the UNCAC on 6 January 2012. The UNCAC entered into force on 5 February 2012, that is, it is of legal force and effect in Solomon Islands as of that date.

Relevant anti-corruption legislation
Solomon Islands has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts. A number of pieces of legislation are currently before Parliament including the Anti-Corruption Bill 2016 and the Whistleblowers Protection Bill 2016.

Anti-corruption framework
An important part in the fight against corruption is the establishment of a strong and independent anti-corruption framework that is adequately resourced.

The Anti-Corruption Bill seeks to establish the Solomon Islands Independent Commission Against Corruption (section 6 Anti-Corruption Bill). The functions of the Commission would include, amongst other things:

(a) to determine the appropriate action to take on conclusion of corruption investigations;
(b) to prosecute corruption offences with the consent of the Director of Public Prosecutions;
(c) to prevent corruption through its functions under Part 3.

Relevant anti-corruption bodies in the Solomon Islands include the:
• Office of the Ombudsman;
• Leadership Code Commission;
• Auditor-General;
• Electoral Commission;
• Attorney-General;
• Office of the Director of Public Prosecutions;
• Police force;
• Financial Intelligence Unit;
• Public Service Commission;
• Political Parties Commission; and
• Judiciary.

At present, there are a number of “integrity agencies” in the Solomon Islands. An internal forum was established to coordinate their efforts to promote integrity. The Integrity Group Forum consists of representatives from the Anti-Corruption Unit in the Police Force, Central Bank of Solomon Islands, Office of the Director of Public Prosecutions, Corrections Service, Customs and Excise Division, Leadership Code Commission, Inland Revenue Division in the Ministry of Finance and Treasury, Office of the Auditor General, Office of the Attorney General and Office of the Ombudsman.

Ombudsman
The Office of the Ombudsman is created under section 96 of the Constitution 1978. The Ombudsman is to be appointed by the Governor-General, acting in accordance with the advice of a committee consisting of the Speaker, the Chairman of the Public Service Commission and the Chairman of the Judicial and Legal Service Commission. The Office of the Ombudsman investigates complaints about the administrative actions of members of the public service, Police Force, prisons service, the Government of Honiara City, Provincial Governments, and such other offices, commissions, corporate bodies or public agencies as prescribed by Parliament. The Ombudsman is appointed for a term of five years as an independent oversight body.

Section 98(3) of the Constitution requires the Ombudsman to submit an annual report to Parliament, and provides that the Ombudsman
may make additional reports to Parliament as he thinks appropriate in relation to the discharge of his functions and any administrative or legal defects he has identified.

The Office of the Ombudsman has additional powers and roles, as provided for by the Ombudsman (Further Provisions) Act 1980. The Office of the Ombudsman has no jurisdiction in respect of the Governor-General or his personal staff or the Director of Public Prosecutions or any person acting in accordance with his instructions. Nor has the Ombudsman the power to question or review any decision of any judge, magistrate or registrar in the exercise of his judicial functions.

**Auditor General**

The Auditor General is established by section 108 of the Constitution 1978. The Auditor-General is to be appointed by the Governor-General, acting in accordance with the advice of the Public Service Commission. The Auditor-General is required to audit and report on annually the public accounts of Solomon Islands, of all Ministries, offices, courts and authorities of the government, of the government of Honiara city and of all provincial governments.

**Leadership Code Commission**

The Leadership Code Commission is established under the Leadership Code (Further Provisions) Act [Cap 86].

The Leadership Code Commission conducts administrative and disciplinary investigations of “Leaders” (including Ministers, Parliamentarians and public officers and public servants).

**Electoral Commission**

Section 57 of the Constitution 1978 establishes the Electoral Commission consisting of the Speaker as chairman, and two other members appointed by the Governor-General, acting in accordance with the advice of the Judicial and Legal Service Commission. A member of the Electoral Commission may be removed from office only for inability to discharge the functions of his office (whether arising from infirmity of body or mind or any other cause) or for misbehaviour and shall not be so removed except in accordance with the provisions of section 126 of the Constitution.

The Electoral Commission has general responsibility for, and supervises, the registration of electors for the election of members of Parliament and the conduct of elections.

Further information about the Solomon Islands Electoral Commission can be found here.

**Attorney General**

Section 42 of the Constitution 1978 establishes the Attorney-General as principal legal adviser to the Government. The Attorney-General is to be appointed by the Judicial and Legal Service Commission acting in accordance with the advice of the Prime Minister.

The Attorney-General must be qualified to hold the office of Attorney-General unless he is entitled practise in Solomon Islands as an advocate or as a barrister and solicitor.

**Office of the Director of Public Prosecutions**

The Director of Public Prosecutions is established under section 91 of the Constitution 1978. The Director of Public Prosecutions is to be appointed by the Governor-General, acting in accordance with the advice of the Judicial and Legal Service Commission. The Director of Public Prosecutions must be qualified to hold or act in the office of Director of Public Prosecutions unless he is entitled to practise in Solomon Islands as an advocate or as a barrister and solicitor.

**Police**

The Constitution 1978 provides for the Commissioner of Police who is appointed by the Governor-General, acting in accordance with the advice of the Prime Minister tendered after the Prime Minister has consulted the Police and Prisons Service Commission.

The Anti-Corruption Unit in the Police Force was established with the assistance of the Regional Assistance Mission to Solomon Islands (RAMSI) in 2004, specifically, to combat corruption of public officials. The Unit was established separately from a Fraud Squad that already existed. The Anti-Corruption Unit investigates any allegation of corruption. They have two main avenues for receiving complaints: audit reports from the Office of the Auditor General and complaints from the public.
Financial Intelligence Unit
The Solomon Islands Financial Intelligence Unit (SIFIU) was established in the Central Bank of Solomon Islands following the publication of a gazette notice by the Minister of Justice on the coming into force of the Part 1 of the Money Laundering and Proceed of Crime Act 2002 as amended in April of 2005. The Financial Intelligence Unit receives reports of suspicious transactions issued by financial institutions and cash dealers and sends these reports to the appropriate law enforcement authorities.

Public Service Commission
Section 115 of the Constitution establishes the Public Service Commission for Solomon Islands which is to consist of a Chairman and not less than two nor more than four other members appointed by the Governor-General for such period, being not less than three nor more than six years, as may be specified in their respective instruments of appointment.

Political Parties Commission
The Political Parties Commission is established by section 4 of the Political Parties Integrity Act 2014. The Commission is to consist of five members who are to be persons selected from among former Governors-General, former Speakers of Parliament, retired judges and retired heads of faith-based organisations, and any other eminent citizens, appointed by the Governor-General on the recommendation of the Prime Minister and the Leader of Opposition. The Prime Minister is to recommend to the Governor-General one of the Commissioners to be appointed as the Chairperson of the Commission. Section 7 of the Political Parties Integrity Act provides for the Commission’s independence. Section 8 of the Act provides that a person is eligible for appointment as a Commissioner, if he or she has good knowledge of the political institutions and systems in the Solomon Islands; and has not been convicted of any crime of dishonesty, or any criminal offence.

The Act provides further that a person is ineligible for appointment as a Commissioner, and a current Commissioner shall be removed from the Commission, if he or she holds any elected office in the National Parliament, a Provincial Government or Local Government; is a member of, or is involved in the management of a political party; or is convicted of any crime of dishonesty or any other offence.

Judiciary
The judiciary is a separate and independent branch of government. The Constitution establishes a High Court and a Court of Appeal. All judges are appointed by the Governor General on the advice of the Judicial Services Commission. To qualify for appointment to these judicial positions, a person must hold or have held high judicial office in a Commonwealth or other court prescribed by Parliament or be qualified to practice as a barrister or solicitor and have been practicing for at least five years.

Judges cease to hold office when their terms expire or they resign. They may be removed by the Governor General acting on advice from a tribunal established for the purpose of investigating allegations of inability to perform the duties. Judges may also be removed for misbehavior.

Mechanism to report corruption
The Office of the Ombudsman investigates written complaints about the administrative actions of members of the Solomon Islands public service, police force, the prisons service, the government of Honiara city, provincial governments, and such other offices, commissions, corporate bodies or public agencies as may be prescribed by Parliament.

The Ombudsman may investigate any action taken by any officer or authority in the exercise of the administrative functions of that officer or authority in any case in which a complaint alleges that a person or body of persons has suffered injustice in consequence of that action; the Ombudsman is invited to do so by any Minister or any member of Parliament; or the Ombudsman considers it desirable to do so of his own motion.

The Electoral Commission can also receive and investigate complaints.

Transparency Solomon Islands is an independent, not-for-profit body, committed to promoting good governance and accountability in Solomon Islands. It is an affiliated national chapter of Transparency International. The Advocacy and Legal Advice Centre is a Program under the auspices of Transparency Solomon Islands that provides legal assistance to victims and witnesses of corruption. The centre has provides avenues for citizens to register complaints and seek preliminary legal assistance on issues relating to corruption.
Appendix 12
Country Information: Tonga

Tonga has not yet signed the United Nations UNCAC against Corruption.

Relevant anti-corruption legislation
Tonga has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is the establishment of a strong and independent anti-corruption framework that is adequately resourced. Relevant anti-corruption bodies in Tonga include the:

- Anti-Corruption Commission;
- Commissioner for Public Relations;
- Attorney-General;
- Auditor-General;
- Electoral Commission;
- Tonga Police;
- Transactions Reporting Authority;
- Public Service Commission;
- Judiciary.

Anti-Corruption Commission
Tonga established its Anti-Corruption Commission in July 2008 to investigate alleged wrongdoings and improve the state’s level of governance. The Anti-Corruption Commissioner Act 2007 is the legal source of the Commission and it gives the Commission the right to investigate and prosecute corrupt conduct in government branches; to examine and revise existing procedures and mechanisms that may lead to corrupt conduct; and to advice and educate civil servants and the public. Tonga’s Anti-Corruption Commission has never been operational.

Commissioner for Public Relations
Tonga’s Commissioner for Public Relations holds powers equivalent to an Ombudsman. Its powers are conferred by the Commissioner for Public Relations Act 2001. The Commissioner does not have the power to prosecute or impose sanctions. He refers unlawful cases to the Attorney-General. His office produces an annual report that is made available to the public.

The Commissioner investigates complaints about the administrative actions of Government agencies excluding matters where there is a right of appeal to a court or tribunal, conduct of any person acting as legal adviser to the Crown and certain matters relating to the Tonga Defence Services. The core function of the Commissioner is to receive and investigate complaints from members of the public as well as providing advice and guidance to departments and organisations about good administration and complaint handling, providing training in conducting investigations and complaint management and conducting customer service audits. The Commissioner may refuse to investigate a complaint if there is another remedy available.

Complaints may also not be examined if they are trivial or vexatious. At the conclusion of an investigation the Commissioner must report their opinion and reasons to the appropriate department, making recommendations. If within a reasonable time appropriate action has not been taken, the Commissioner may send a copy of the report and recommendations to the Prime Minister who is required to table the matter in the Privy Council. The Commissioner for Public Relations (Amendment) Bill 2012 seeks to amend the Commissioner for Public Relations Act to change its name to Ombudsman.
Attorney General
The Office of the Attorney General is responsible for directing the legal services provided by the Crown Law Department for the Government. The Attorney General is the principal legal advisor to Cabinet and Government and is in charge of all criminal proceedings on behalf of the Crown.

Further information about the Attorney General’s Office can be found here.

Auditor-General
The Auditor-General was created under the Public Audit Act [Cap 66] and strengthened under the Public Audit Act 2007. Section 4(1) of the Public Audit Act provides that the Auditor-General is to be an independent statutory office holder and shall not be subject to administrative control or direction in the exercise of his functions and duties other than as imposed by law.

All the branches of the government are subject to audit and review by the Auditor-General.

Electoral Commission
The Electoral Commission is established by the Electoral Commission Act 2010. The Electoral Commission is responsible for the proper conduct of elections and the maintenance of records and rolls. It considers the need for reforms, makes recommendations regarding changes to the law on elections, recommends prosecutions for election offences, and regulates the use of media before elections as well as election finances.

Tonga Police
The Tonga Police is established by the Tonga Police Act 2010. The Tonga Police is the lead law enforcement agency for the Kingdom of Tonga. The Commissioner of Police is required to act independently of any person, for the maintenance of order; the enforcement of law; the investigation of crime; and decisions about members of Tonga Police.

Transaction Reporting Authority
The Transaction Reporting Authority is established under the Money Laundering and Proceeds of Crime Act 2000. The Transaction Reporting Authority receives, analyses and disseminates information relating to money-laundering; facilitates the detection, prevention and deterrence of money-laundering; receives analyses and assesses suspicious financial information; and discloses financial intelligence to appropriate law enforcement agencies. Further information about the Transaction Reporting Authority can be found here.

Public Service Commission
The functions of the Public Service Commission are outlined in section 6 of the Public Service Act 2002. The Public Service Commission develops systems, standards and procedures for the continual performance improvement and management of the public service. The Public Service Commission appoints, promotes disciplines and dismisses employees.

Further information about the Public Service Commission can be found here.

Judiciary
The Constitution of Tonga provides for an independent judiciary. The judicial power of the Kingdom is vested in the Court of Appeal, the Supreme Court, the Land Court, and the Magistrate’s Court.

Good Governance Commission
There is a Good Governance Commission Bill 2012 for the establishment of a Good Governance Commission.

The functions of the Good Governance Commission would be to:
(a) establish offices, and infrastructure for the Commission and any other Good Governance Agency;
(b) organize, supervise and direct such bodies, consistent with their statutory provisions (if any), and for these purposes may issue directions to a Good Governance Agency;
(c) in consultation with each relevant Good Governance Agency, and if the Commission thinks appropriate, appoint and employ staff of all such bodies, and control them;
(d) ensure compliance with the separate Acts and governing instruments by which any such Good Governance Agency is established; and
(e) if the Commission considers appropriate, obtain and administer the budget for each such Good Governance Agency.

**Mechanism to report corruption**

The Anti-Corruption Commission investigates instances of alleged suspected corrupt conduct referred to it by any person or authority whether by complaint or otherwise.

The Commissioner for Public Relations may make any such investigation either on a complaint made to the Commissioner by any person or on his own motion. However, the Commissioner does not have authority to investigate:

- any decision, recommendation, act, or omission where there is, a right of appeal or objection, or a right to apply for a review;
- any decision, recommendation, act, or omission of any person in his capacity as a trustee; or
- any decision, recommendation, act, or omission of any person acting as legal adviser to the Crown or acting as counsel for the Crown in relation to any proceedings.

In addition, the Commissioner cannot investigate any matter relating to any person who is or was a member of the Tonga Defence Services or any matter relating to His Majesty’s Armed Forces, so far as the matter relates to the terms and conditions of his service as such member; or any order, command, decision, penalty, or punishment given to or affecting him in his capacity as such member.

Complaints may also be made to the Supervisor under the Electoral Act in relation to suspected bribery under section 21 of the Electoral Act.

Whistleblowers are not protected in Tonga, neither in the public nor the private sector. There are no laws or mechanisms to protect whistleblowers from recrimination. The Anti-Corruption Commissioner Act 2007 has a section on the protection of witnesses and people assisting the Commissioner.
Appendix 13
Country Information: Tuvalu

Tuvalu acceded to the United Nations UNCAC against Corruption on 4 September 2015.

Relevant anti-corruption legislation
Tuvalu has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is the establishment of a strong and independent anti-corruption framework that is adequately resourced. There is no single anti-corruption institution in Tuvalu. The anti-corruption mandate is spread across several bodies and includes the:

• Ombudsman Commission;
• Leadership Tribunal (not yet established);
• Auditor-General;
• Audit Office;
• Public Service Commission;
• Attorney-General;
• Transaction Tracking Unit;
• Police Commissioner and Police Force; and
• Judiciary.

Ombudsman Commission
The Ombudsman Commission is established under section 37 of the Leadership Code Act [Cap 4.12]. The Ombudsman Commission comprises of a Chief Ombudsman who is the Head of the Ombudsman Commission and two other Ombudsman Commissioners. The functions of the Ombudsman are outlined in section 38 of the Leadership Code Act as follows:

(a) to enquire into any complaints or allegation of misconduct on the part of any leader;
(b) to enquire into any defects in administrative practice appearing from any matter being enquired into;
(c) to enquire into any case of an alleged or suspected discriminatory practice by a leader;
(d) to give prior advice on potential breaches of this Code; and
(e) to investigate and report on any complaints of any alleged breaches of this Code.

Section 42 of the Leadership Code Act outlines the qualifications required of the Ombudsman. That is, a person who has knowledge, understanding and appreciation of the culture and values of Tuvalu; is of high integrity and competence; is capable of discharging his functions without fear or favour; and is of high standing in the eyes of the community. A person is disqualified for appointment as an Ombudsman if he is a member of Parliament; holds any other public office; is a person who has been declared bankrupt; has been sentenced for at least a period of 12 months or fined under any other Act during the last 5 years; or is a person who has been convicted by a court for dishonesty.

Section 47 of the Leadership Code Act establishes the independence of the Ombudsman. The Ombudsman is responsible for the prosecution before the Leadership Tribunal of any leader who breaches the Leadership Code.

Tuvalu’s first Ombudsman was appointed in 2014. Currently there is only the Chief Ombudsman and a Professional Assistant.

Leadership Tribunal
Section 48 of the Leadership Code Act [Cap 4.12] establishes the Leadership Tribunal. Section 49 of the Leadership Code Act outlines the functions of the Leadership Tribunal which is to determine any breach of the Code referred to it by the Ombudsman, and any appeal made against the decision of the Ombudsman.

The Leadership Tribunal is to consist of a person qualified to be appointed as a judge and two other members of good standing in the community, each of whom must be a person who has knowledge, understanding and appreciation of the culture and values of Tuvalu; is of high integrity and competence; is capable of discharging his functions without fear or favour; and is of high standing in the eyes of the community. A person is not qualified for appointment as a Judge of the Tribunal unless he is or has been a judge of a court of unlimited jurisdiction in civil and criminal matters in some country that has a legal system similar to that of Tuvalu, or of a court having jurisdiction in appeals from such a court; or has been qualified for at least five years to practise as a barrister or solicitor, or the equivalent, in an equivalent country. The Leadership Tribunal has yet to be established.

Auditor-General

The legal framework for the Auditor-General comprises the Constitution of Tuvalu, the Audit Act and the Public Finance Act. Section 170 of the Constitution establishes the office of the Auditor-General for Tuvalu while section 171 provides for its independence.

Section 5 of the Audit Act provides that the Auditor-General is to be appointed by the Head of State in accordance with section 159(2) (a) of the Constitution. That is, the Auditor-General is to be appointed by the Head of State, acting in accordance with the advice of the Public Service Commission, and with the approval of Parliament signified by resolution. The requirement of Parliament endorsement of the candidate for the post strengthens their independence.

Section 172 of the Constitution outlines the functions of the Auditor-General which are to “inspect and audit, and report at least once in every financial year to Parliament on the public accounts of Tuvalu; the control of public money and property of Tuvalu; and all transactions with or concerning public money or property of Tuvalu.” The inspection and audit of accounts includes the accounts, finances and property of each branch, department, agency and instrumentality of the Government; and each body set up by an Act of Parliament, or by executive or administrative act of the Government, for governmental or official purposes. In addition, the Auditor-General may, if he thinks it proper to do so, inspect and audit, and report to Parliament on, any accounts, finances or property of an organization referred to in that subsection so far as they or it relate to, or consist of or are derived from, public money or property of Tuvalu.

The Audit Act expands on the functions of the Auditor-General. Part VI of the Public Finance Act also provides for functions and powers of the Auditor-General.

There is protection against unfair dismissal in that the Auditor General may only be removed on a limited number of grounds and the case must first be referred to an independent tribunal.

The Office of the Auditor-General comprises seven staff under the supervision of the Auditor-General.

Further information about the Office of the Auditor-General can be found here.

Audit Office

Section 11 of the Audit Act establishes the National Audit Office which is to consist of auditors appointed in accordance with section 13 of the Audit Act. “The Auditor-General is not a member of the Audit Office but is taken, for all purposes, to be the person who exercises the functions of chief executive officer in relation to the Audit Office.”

Section 12 of the Audit Act provides for the appointment of staff of the audit office who are to be appointed under the Public Service Act and must conduct themselves in accordance with the requirements of the Audit Office Code of Conduct. This Code of Conduct is yet to be developed.

Section 13 of the Audit Act provides that staff of the audit office are subject only to direction of the Auditor-General.

Attorney-General
Section 79 of the Constitution of Tuvalu establishes the Office of the Attorney-General for Tuvalu, as an office within the Public Service. The Attorney-General is a Constitutional appointment under section 159(4)(a) of the Constitution to be appointed by the Head of State acting in accordance with the advice of the Cabinet given after consultation with the Public Service Commission. Section 79(4) of the Constitution requires that the individual holding or acting in the office of the Attorney-General must be entitled to practise before the High Court. The independence of the Attorney-General is provided for under section 79(11) of the Constitution.

The Attorney-General is the principal legal adviser to the Government.40

The Office of the Attorney-General comprises of six staff – two on study leave, four working in the office and one yet to be appointed.

Public Service Commission

The legal framework for the Public Service Commission comprises primarily of the Constitution of Tuvalu, the Public Service Act, the Public Service Commission Rules and the General Administrative Orders. Section 143 of the Constitution establishes the Public Service Commission. Section 144 of the Constitution provides that the Public Service Commission shall comprise of a Chairman and three other members, appointed by the Head of State, acting in accordance with the advice of the Cabinet (section 145(1) Constitution).

Section 149 of the Constitution provides that the Public Service Commission is responsible for all personnel matters connected with the Public Service and other such prescribed functions. Section 150 of the Constitution and section 6 of the Public Service Commission Rules outlines the independence of the Public Service Commission.

Transaction Tracking Unit

Section 17 of the Proceeds of Crime Act [Cap 10.25] establishes the Transaction Tracking Unit within the Tuvalu Police Force. The Transaction Tracking Unit is Tuvalu’s equivalent to a Financial Intelligence Unit.

Section 18(1) of the Proceeds of Crime Act [Cap 10.25] outlines the functions of the Transaction Tracking Unit which includes the receipt of suspicious transactions issued by financial institutions and cash dealers.

Police Commissioner and Police Force


The Commissioner of Police is appointed by the Head of State, acting in accordance with the advice of the Public Service Commission given after consultation with the Cabinet.41

Section 157(3) and (4) of the Constitution provides that members of the Tuvalu Police of or above the rank of Inspector (excluding the Commissioner of Police) may be appointed, removed and disciplined in the same manner, with any necessary modifications, as members of the Public Service. Other members of the Tuvalu Police may be appointed, removed and disciplined by the Commissioner of Police, subject to appeal to the Public Service Commission in the case of removal or disciplinary action.

Regulation 4 of the Police Regulations [Cap 20.24.1] outlines the appointment for members of the Police Force.

Public Prosecutor

Section 71 of the Criminal Procedure Code gives the Attorney-General power to “appoint any advocate or police officer to be a public prosecutor either generally or for the purposes of a particular case.” Section 72 of the Criminal Procedure Code outlines the powers of public prosecutors.

Judiciary

The judiciary in Tuvalu is constitutionally independent of the executive. It comprises of the Sovereign in Council (Division 4 Constitution); the Court of Appeal (Division 3 Constitution); the High Court of Tuvalu (Division 2 Constitution); and such other courts (e.g. Magistrates Court, Island Magistrates Court, Lands Court, and Lands Courts Appeal Panel) and tribunals as are provided for or under Acts of Parliament (section 119 Constitution).

Mechanism to report corruption

36 Leadership Code Act, s 42(2).
Complaints can be made to the Ombudsman. The Ombudsman is required to enquire into any complaints or allegation of misconduct on the part of any leader.

The police have a complaint handling procedure where complaints go to the Chief of Police, and he directs the investigation. The focus is on misconduct and disciplinary measures where individuals have over-stepped their authority. Citizens can seek legal redress through the People’s Lawyer.
Appendix 14
Country Information: Vanuatu

The UNCAC was acceded to by the Government of Vanuatu and it entered into force on 11 August 2011.

Relevant anti-corruption legislation
Vanuatu has a number of pieces of legislation which seek to prevent corruption and criminalize corrupt acts.

Anti-corruption framework
An important part in the fight against corruption is the establishment of a strong and independent anti-corruption framework that is adequately resourced. Relevant anti-corruption bodies in Vanuatu include the:

- Ombudsman;
- Office of the Auditor-General;
- Electoral Commission;
- Financial Intelligence Unit;
- Public Service Commission;
- Public Prosecutor;
- Judicial Services Commission;
- Vanuatu Police Force; and
- Judiciary.

Ombudsman
The Ombudsman is established under the Ombudsman Act [Cap 252]. Article 65 of the Constitution guarantees the Ombudsman’s independence. It provides that, ‘The Ombudsman shall not be subject to the direction or control of any other person or body in the exercise of his functions.’ The Ombudsman is tasked to handle complaints regarding breaches of the Leadership Code and on maladministration.

Auditor-General
The Office of the Auditor-General is established under article 25 of the Constitution. Section 25(6) of the Constitution establishes its independence. Further detail as to the functions of the Office of the Auditor-General is found in the Expenditure Review and Audit Act [Cap 241].

Electoral Commission
The Electoral Commission is established under Article 18 of the Constitution. The Principal Electoral Officer is also provided for under Article 19 of the Constitution. The Principal Electoral Officer has responsibility for the overall administration on the conduct of elections, under the direction of the Electoral Commission. The Representation of the People Act [Cap 146] further provides for the functions and duties of the Principal Electoral Officer in relation to preparing for and conducting elections.

Financial Intelligence Unit
The Financial Intelligence Unit is established under section 12 of the Financial Transactions Reporting Act [Cap 268]. Section 5 of the Anti-Money Laundering and Counter Terrorism Financing Act 2014 lists the functions and powers of the Vanuatu Financial Intelligence Unit.

40 Constitution, s 79(3).
41 Constitution, s 159(5)(a).
Since the establishment of the Vanuatu Financial Intelligence Unit in 2000 it has been responsible for briefing relevant ministers and the Council of Ministers on strategic anti-money laundering and counter terrorism financing outcomes/deficiencies and ensuring anti-money laundering and counter terrorism financing policies are developed and approved.43

Further information about the Financial Intelligence Unit can be found here.

Public Service Commission
The legislative framework for recruitment, promotions, transfers and resignation from the public service is contained in the Public Service Act [Cap 246].

Public Prosecutor
The Public Prosecutor’s Office constitutes part of the Ministry of Justice. Article 55 of the Constitution provides for the independence of the public prosecutor. The Public Prosecutor Act [Cap 293] sets out the roles and responsibilities of the Public Prosecutor. The Prosecutor’s role in the criminal justice system process commences when a brief of evidence concerning an offence is forwarded to the Office of the Public Prosecutor and the prosecutor determines whether a prosecution will brought in Court.

Judicial Services Commission
The Judicial Services Commission is established under Article 48 of the Constitution. Article 48(2) of the Constitution guarantees the independence of the Judicial Service Commission. The constitution, powers and functions of the Judicial Service Commission are elaborated upon in the Judicial Service and Courts Act [Cap 270].

Vanuatu Police Force
The head of the Vanuatu Police Force is the Commissioner of Police. Pursuant to section 4 of the Police Act [Cap 105], the Vanuatu Police Force is the designated authority for investigating money-laundering offences, associated predicate offences and terrorist financing offences. The Vanuatu Police Force has specialised units mandated to undertake relevant criminal investigations, these are: the Fraud Unit (fraud and financial crimes), Drug Unit (drug-related offences, drug smuggling), Criminal Investigation Unit (offences by unknown suspects e.g. theft, trespass), Uniform Investigation Unit (offences by known suspects e.g. assault) and Transnational Crime Unit (transnational offences).

Public Service
The legislative framework for recruitment, promotions, transfers and resignation from the public service is contained in the Public Service Act [Cap 246].

Judiciary
The judicial system is provided for in Chapter 8 of the Constitution. As well as establishing the superior court structure, including the Supreme Court (Article 49) and Court of Appeal (Article 50), the Constitution provides that village or island courts with jurisdiction over customary matters must be established (Article 52). Magistrates Courts are not provided for in the Constitution but are established under Part 3 of the Judicial Services and Courts Act.

Pursuant to Article 49(3) of the Constitution, the Chief Justice is appointed by the President after consultation with the Prime Minister and Leader of the Opposition. Appointment of other judges and Magistrates is done by the President acting on the advice of the Judicial Service Commission (Article 47(2)). The Judicial Service Commission is a constitutionally established body. Its membership consists of the Minister responsible for justice as Chairman, the Chief Justice, the Chairman of the Public Service Commission and a representative of the National Council of Chiefs appointed by the Council (Article 48(1)).

Mechanism to report corruption
The Ombudsman is tasked to handle complaints regarding breaches under the Leadership Code and on maladministration. Section 17 of the Ombudsman Act [Cap 252] enables the Ombudsman to receive complaints. Article 64 of the Constitution also requires the Ombudsman to take complaints related to citizens not being able to obtain Government services in their choice of official language and to make reports in respect of multilingualism.
There is no formal mechanism for the Public Service Commission to receive complaints from the public. Instead, the Ombudsman is mandated to enquire into the conduct of any government agency or public servant under Article 62 of the Constitution and this provides a channel for public complaints. In December 2013, the Government signed an agreement to establish an independent police complaints authority.

There is no complaint mechanism for prosecutors specifically. However, pursuant to section 8 of the Legal Practitioners Act [Cap 119] any complaint concerning the conduct of a legal practitioner may be lodged, in writing, with the Secretary of the Law Council containing specific allegations of misconduct that may consist of acts or omissions.

There is no procedure to allow the public to make complaints about the Judiciary. The Ombudsman does not have the jurisdiction to enquire into the actions of judges. The Judicial Services and Courts Act [Cap 270] establishes a Court Personnel Disciplinary Board under section 59 of the Act. The Board has jurisdiction over registry and other support staff within the court. The Judicial Service Commission can recommend that the President suspends or removes Magistrates for serious misconduct (section 23(3) and 23(4)(a), Judicial Services and Courts Act [Cap 270]). Suspension is of limited consequence as a Magistrate must receive full pay whilst on suspension (section 23(5), Judicial Services and Courts Act [Cap 270]). In addition, article 47 of the Constitution provides that judges of the Supreme Court can be removed by the President, on the advice of the Judicial Service Commission on the grounds of gross misconduct, incapacity or professional incompetence.

There is no express statutory power for the Office of the Auditor-General to take complaints or reports of irregularities directly from the public. Instead, this power is given to the Public Accounts Committee under section 14(2)(h) of the Expenditure Review and Audit Act [Cap 241].

The Advocacy and Legal Advice Centre Vanuatu was established in mid-2009. The Advocacy and Legal Advice Centre Vanuatu provides free legal advice and assistance to victims and witnesses of corruption. The Advocacy and Legal Advice Centre’s aim is to help citizens and residents from all areas whether unemployed or public servants to pursue corruption based complaints and encourages them to “speak out” and come forward, in strict client confidentiality to further their complaint.
Appendix 15

UN-PRAC contacts

Mihaela Stojkoska
UNDP Anti-Corruption Specialist
Email: Mihaela.stojkoska@undp.org

Maria Adomeit
UNODC Regional Anti-Corruption Adviser
Email: maria.adomeit@unodc.org

Luisa Senibulu
UN-PRAC Programme Associate
Email: luisa.senibulu@undp.org

---

Appendix 16

Pacific Youth Forum against Corruption
Nadi, Fiji, 22 – 24 February 2015
Outcomes Document

The participation of 45 young leaders from 14 Pacific Island countries and territories (Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu) at the 2015 Pacific Youth Forum against Corruption on 22 – 24 February 2015 is acknowledged. The participants worked vigorously during the Forum to discuss what corruption is, its profound causes and corrosive effect on Pacific Island citizens as a whole and essential ways forward on how youth can be engaged for the success of curbing corruption. As young leaders from a wide range of various sectors, we recognise that corruption is a cross-cutting issue and we see this Forum as an opportunity for participants to envisage a “Corrupt Free Pacific”.

The Forum would like to acknowledge various anti-corruption champions around the Pacific for their dedication and numerous roles in preventing and the fight against corruption. The Forum would also like to acknowledge the steps taken by ten Pacific Islands countries (Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, Palau, Papua New Guinea, Republic of the Marshall Islands, Solomon Islands and Vanuatu) in having ratified the UN Convention against Corruption (UNCAC) and our technical partners, the UN Development Programme (UNDP), the UN Office on Drugs and Crime (UNODC) and the Pacific Youth Council, for their on-going support to us.

The Forum identified the general lack of understanding of what corruption is and its impact; often hiding under the ‘cultural’ umbrella. We also acknowledge the various definitions of corruption in the Pacific. However, participants were able to identify the various types of corruption that are prevalent in their various countries, including but not limited to:

1) Bribery;
2) Abuse of office and power;
3) Money-laundering;
4) Proceeds of crime;
5) Nepotism;
6) Fraud;
7) Distortion of cultural structure for self-gain; and
8) Favouritism (i.e. scholarships).

The Forum also identified the natural resource sector to be particularly vulnerable to the effects of corruption.

The Forum noted the common challenges that hinder youth from standing up against corruption, which includes:

1) Limited or no regional or country-specific data and policies relating to corruption (reflecting the need for evidence research based on corruption);
2) Lack of access to public information including legislation, including resource challenges;

**Transparency International Vanuatu, National Integrity Systems Assessment Vanuatu 2014 (Port Vila: Transparency International Vanuatu, 2014), 87.**
3) Media restrictions including lack of coverage;
4) Lack of independence, capacity and capability of institutions and groups (youth);
5) Lack of awareness and understanding of the general public (especially those in the outer islands due to geographical isolation) on, including but not limited to:
   a. The meaning of corruption;
   b. The impact of corruption;
   c. The relevant existing laws, policies and institutional structure that prevent and fight corruption;
   d. United Nations Conventions Against Corruption (UNCAC);
   e. The legal rights of youth to stand up against corruption;
6) The difficulty of sustainable initiatives on anti-corruption such as youth movements against corruption;
7) Cultural settings:
   a. Customs being reinterpreted/manipulated; and
   b. Traditional system in collision with modern government system.

The following suggestions could be considered as next steps, as mentioned by participants during the Forum, to support and promote increased and equitable access to open, timely, reliable and quality information regarding corruption, including through ICTs, to enable stronger accountability mechanisms and greater youth participation in preventing and fighting corruption:

1) To continue the “Pacific Youth Against Corruption” Network as an interactive platform under the Pacific Youth Council;
2) Create a simple youth manual/resource book perhaps on:
   a. Experiences in various Pacific Islands countries and territories and their existing infrastructures that tackle corruption (e.g. statutory laws, UNCAC implementation);
   b. Basic guidelines on how to engage youth in preventing and fighting corruption (including on human rights);
   c. ‘Citizen friendly budget’ – a simplified version of the National Budget to be easily understood by the public, including the youth;
3) Seek assistance to conduct greater data and evidence-based research to be used as a catalyst for change. However, youth advocates are encouraged to use existing research and studies on corruption that have been conducted on a regional and individual Pacific Island countries and territories’ level such as;
   a. Research and studies by international organisations such as UNDP, UNODC, Transparency International, World Bank;
   b. Resources on websites, such as PACLII website (search keyword: corruption);
   c. Accessible information, such as:
      i. Parliament committees reports;
      ii. Ombudsman/national anti-corruption reports;
      iii. Audit Office’s reports;
4) Youth and community advocacy and awareness on corruption such as through the:
   a. The use of media (i.e. radio programmes, televisions);
b. Development of innovative ways to connect;

c. Build coalitions/network, report corruption & corrupt activities such as by using;
   i. Social media (e.g. Facebook, Twitter, Instagram, Vine, Snapchat); and
   ii. Creative Arts (i.e. Theatre, visual arts, music);

5) Strengthening the National Youth Councils to call on governments and relevant ministries to organise national youth forums on corruption;

6) Young people to be involved as a key stakeholder in the review cycle of UNCAC and the development of anti-corruption policies;

7) Enable young people to have greater access to political institutions and processes, and encourage programmes and policies to support the active political participation of young people;

8) To identify and reach out to anti-corruption champions within the institutions and communities; and

9) Promote ratification and implementation of the UN Convention against Corruption (UNCAC).

The voice of the youth in the Pacific is important in preventing and fighting corruption given that youth represent a substantial portion of the Pacific population. Engaging youth against corruption offers the chance to change the norms given that youth are generally regarded as being more open to social change and political transformation. The Forum was a great platform to engage, empower, enhance and acknowledge the importance of young people as potential leaders.
Appendix 17
Pacific Youth Anti-Corruption Innovation Lab
Nadi, Fiji, 27 – 29 April 2017
Outcomes Document

The participation of 23 young leaders from 13 Pacific Island countries and territories (Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu) at the 2017 Pacific Youth Anti-Corruption Lab on 27-29 April 2017 is acknowledged, along with the invaluable contributions of our peers from Washington and Lee University.

The Lab participants recognized that the State and non-State actors in most of the countries in the region demonstrated efforts in preventing and fighting corruption in the past two years, since the establishment of the Pacific Youth Forum Against Corruption (PYFAC). A number of these efforts were initiated through the National Youth Councils and other relevant Non-Government Organizations (NGOs).

Furthermore, the participants worked on achieving the following objectives:

• To map progress that has been made with the Outcomes Document of the PYFAC (2015);
• To strengthen the anti-corruption youth network, particularly looking at what can be further done at the level of schools and universities; and
• To generate innovative ideas and solutions to address anti-corruption challenges in selected policy areas, thus supporting the UN's programming objective of ensuring that youth are informed, engaged and empowered to contribute positively to the anti-corruption agenda.

Drawing from the Outcomes Document of the first PYFAC and lessons learnt over the past two years in the region, it was decided that innovation would be the approach needed to tackle evolving anti-corruption challenges. Under the auspices of the UNDP, UNODC and Pacific Youth Council, the concept of the Pacific Youth Anti-Corruption Lab was developed.

The concept of innovation was introduced through the following five key themes relevant to youth development in the Pacific:

• Transparency and accountability in oceans management
• Youth Engagement in Resilience Building: Ensuring Accountability in Disaster Resource Management
• Transparency and accountability in Citizens Friendly Budgets
• Freedom and Access to Information
• Education and corruption

As a result, participants developed innovative project ideas and initiatives around the five themes.

Through the discussions during the three days, the participants came up with a set of conclusions and recommendations as part of on-going efforts on youth and anti-corruption work in the region:

1) Continuing and strengthening the “Pacific Youth Against Corruption” (PYFAC) Network as an interactive platform under the Pacific Youth Council;
2) Seeking assistance from development partners and academia to conduct greater data and evidence-based research on corruption to be used as a catalyst for change. Equally, youth advocates are encouraged to use existing research and studies on corruption in the Pacific as a starting point.
3) Strengthening youth and community advocacy and awareness on corruption such as through the use of standard and social media, the Pacific Youth Anti-Corruption toolkit, creative arts, building and strengthening of coalitions/networks and developing anti-corruption Training of Trainers (TOT) modules.
4) Strengthening National Youth Councils and youth networks to organise national youth forums on corruption, in collaboration but not limited to relevant government ministries;
5) Promoting the ratification and implementation of the UN Convention against Corruption (UNCAC) in the Pacific;
6) Supporting young people’s involvement in the second cycle of UNCAC reviews and processes that lead to the development of anti-corruption policies;
7) Identifying and supporting anti-corruption champions within institutions and communities; and
8) Exploring partnerships with and among higher education institutions to incorporate anti-corruption in the curriculum, and to strengthen current ethics courses including providing an application-based curricula, and promoting ethical learning environment;
9) Establishing and strengthening anti-corruption/integrity/ethics and civic education curriculum that cuts across all levels of education;
10) Strengthen social accountability processes through creating a citizen friendly assessment tool for national budgets.

The Forum identified ‘access to information’ as being a key barrier across the areas mentioned above, and the potential contribution of good governance to overcoming this barrier. The Forum recognises access to information as critical to preventing and fighting corruption and therefore calls on Pacific Island governments and non-State actors to support the creation of access to information initiatives for citizens to demand, access and use information.

We, the participants, have been enlightened about our obligation as youth leaders to combat corruption in the different ways that we can. We have been inspired to think innovatively in our approach to fighting corruption. We commit ourselves to help build a “Corrupt Free Pacific” that we hope to see in the future.

We call on UNDP, UNODC, PYC and other relevant stakeholders to continue supporting initiatives where young people in the region can contribute to anti-corruption processes and discussions at state, national, regional and global levels.