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Fourth Forum of Parliamentarians
Why Parliamentarians Matter in the UNCAC
4th Session of the Conference of States Parties to the UN
Convention Against Corruption

October 26th, 2011
Marrakech, Morocco

REPORT

Background

The Global Organization of Parliamentarians Against Corruption (GOPAC) is a global organization committed to combating corruption. Its vision is to achieve democratic accountability through engaged, informed and motivated parliamentarians by identifying, supporting and inspiring parliamentarians to hold governments to account toward the control and elimination of corruption.

One of the ways in which this can be achieved is through the implementation of the United Nations Convention Against Corruption (UNCAC). The UNCAC is an international consensus about what states should be doing to address corruption: prevention, criminalization and prosecution, as well as international cooperation, asset recovery and repatriation. As of May 15, 2011, the Convention had been ratified by 154 countries. Its implementation is being overseen by the Conference of the States Parties (CoSP). GOPAC has been involved with CoSP from the signing ceremony in Merida, Mexico 2003 whereby GOPAC CEO, Mr. John Williams made a statement encouraging the UN and the signing parties to include parliament and parliamentarians into the scope of the UNCAC's work. Since that time GOPAC has promoted the Convention at global and regional events, established a Global Task Force to provide additional political leadership, and identified ways that parliamentarians can support the UNCAC through improving their own individual and institutional performance.

At the inaugural CoSP held at the Dead Sea, Jordan in 2006, GOPAC and its Arab Regional Chapter (ARPAC) partnered with the United Nations Office of Drugs and Crime (UNODC) and organized a Forum of Parliamentarians that focused on developing a parliamentary plan of action. Parliamentarians identified complementary steps parliaments could take, such as strengthening parliamentary oversight and parliamentary ethical conduct. The second Forum of Parliamentarians in Nusa Dua, Indonesia in 2008 was organized with the U4 Anti-Corruption Resource Centre and the UNODC. The Forum brought parliamentarians and interested parties from around the world and identified ways that parliamentarians could support the implementation of governance improvements needed to prevent corruption. At the third Forum held in Doha, Qatar (2009) GOPAC coordinated an event whereby parliamentarians identified ways in which they should engage citizens, civil society actors, international agencies and experts to collectively fight corruption. It also served to introduce a handbook developed by ARPAC to assist regional parliamentarians in encouraging the ratification of the UNCAC as well as its effective domestication.

In 2011, GOPAC continued its intervention at CoSP and organized the fourth Forum of Parliamentarians in Marrakech, Morocco. The following section will discuss the conclusions of the event.

Fourth Forum of Parliamentarians: Why Parliamentarians Matter in the UNCAC

GOPAC sponsored the fourth Forum of Parliamentarians at the Conference of States Parties for the United Nations Convention Against Corruption (CoSP UNCAC) on October 26, 2011 in Marrakech, Morocco. The Forum focused on how parliamentarians should hold governments accountable to ensure the implementation of the UNCAC and to solidify a proper reporting system is in place for the UNCAC¹. Approximately 50 Members of Parliament, civil servants and civil society representatives discussed the role of parliamentarians in the UNCAC².

Dr. Naser Al Sane, Chair, GOPAC welcomed and thanked the group for participating in the event. He highlighted the need to build the capacity of parliamentarians – to provide them with knowledge and tools and engage them in the latest anti-corruption initiatives – in order that they can build enough technical expertise to make educated and informed votes in government. Dr. Al Sane spoke about the GOPAC Global Task Forces (GTFs), consisting of regional diverse parliamentarians who promote anti-corruption agendas in the areas of the UNCAC, parliamentary oversight, anti-money laundering and parliamentary ethics and conduct. Through its GTFs GOPAC provides technical expertise to parliamentarians and supports the introduction of legislation and oversight changes in national parliaments to fight corruption and promote good governance.

Dr. Al Sane spoke about GOPAC efforts at the fourth CoSP to work with delegations to ensure that parliamentarians and civil society are included in the UNCAC. A draft amendment was brought forward to delegations; however, despite recent changes in the Arab world, specific countries in the region were continuing to resist strengthening the role of civil society and parliamentarians in the UNCAC.

Mr. John Williams, CEO, GOPAC began his presentation by thanking UNODC for drafting a convention that serves the people of the world. He emphasized the importance of parliamentarians having a constitutional responsibility to require the Executive Branch to be publicly accountable to its citizens; to openly report to parliament on its exercise of the powers and public resources granted; and to directly and publicly provide its interpretation of the appropriateness and wisdom of those actions. Like Dr Al Sane, he urged citizens and governments in the region to bring in a strong democracy which elects parliamentarians that are transparent and accountable.

Mr. Amadou Bouare, President, African Parliamentarians Network Against Corruption - Mali, spoke about ways in which Africans parliamentarians are creating synergies with civil society to fight corruption. He encouraged parliamentarians to implement the UNCAC and the African

¹ See Appendix A for Agenda

² See Appendix B for list of participants

Union Convention Against Corruption, build capacity of parliamentarians on how to evaluate corruption, actively work with civil society and mobilize resources to support and implement GOPAC and APNAC national chapter initiatives.

During the discussion period questions and comments focused on the ways in which synergies can be made between civil society organizations, parliamentarians and the private sector. The panellists were particularly optimistic that parliamentarians can play a significant role at the CoSP UNCAC and urged participants to share ideas, knowledge and initiatives with GOPAC to ensure collaborative efforts in the fight against corruption. Complex issues were raised such as how to ensure that the UNCAC reports are submitted to parliament, how to fight against large scale and political corruption, and overcome hurdles of access to information. Participants also shared success stories in the field and spoke about anti-corruption initiatives at the Stanford Change Lab, GRECO Council of Europe and the UN Global Compact.

The last presenter was Mr. Roy Cullen, Chair, GOPAC Global Task Force on Anti-Money Laundering (GTF-AML). He launched the new Anti-Money Laundering Action Guide for Parliamentarians emphasizing that this tool is a call to action in the fight against the laundering of corrupt money. He stated parliamentarians can at the very least monitor how their governments are performing in fighting money laundering. He acknowledged the generous support of the Financial Action Task Force, the UNODC, the World Bank, the International Monetary Fund and Interpol. He encouraged participants to become familiar with the guide, offered GOPAC's support and introduced Ms. Priya Sood, Program Advisor to GTF-AML at the GOPAC Global Secretariat.

At the conclusion of the Forum the group approved a Declaration³ and agreed to the following:

- *Parliamentarians need to actively promote UNCAC in their respective parliaments;*
- *The Executive Branch needs to fully implement the UNCAC;*
- *The Executive Branch needs to ensure that there is an annual review mechanism in place and that the review mechanism report is tabled in Parliament and shared in an open and transparent manner; and*
- *The issues raised in the UNCAC review process are openly debated in Parliament.*

The Declaration was presented to the CoSP of the UNCAC. GOPAC, and its partners, recommitted themselves to work on each aspect of the Communiqué and towards implementing the UNCAC in their respective countries.

³ See Appendix C for Official Declaration

APPENDIX A: AGENDA

Fourth Conference of the States Parties to the UN Convention Against Corruption (UNCAC)

4th Forum of Parliamentarians

Why Parliamentarians Matter for the UNCAC

Sponsored by:

Global Organization of Parliamentarians Against Corruption (GOPAC)

Marrakech, Morocco

October 26, 2011

Oliveraie room, Palmeraie Golf Palace Complex

Overview:

Parliamentarians have a constitutional responsibility to require the Executive Branch to be publicly accountable to financial operations; to openly report to parliament on its exercise of the powers and public resources granted; and to directly and publicly provide its interpretation of the appropriateness and wisdom of those actions. During the Forum discussions will focus on how parliamentarians hold governments accountable to ensure the implementation of UNCAC and to solidify a proper reporting system is in place for the UNCAC.

AGENDA

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|--------------|---|
| 1:00 to 1:10 | Welcome by Chair
Dr. Naser J. Al Sane, Chair, GOPAC |
| 1:10 to 1:25 | Why Parliament's Role in the Formal Review Mechanism for UNCAC is Essential
Honourable John Williams, CEO, GOPAC |
| 1:25 to 1:45 | Ways Forward on the UN CAC in the African Region
Honourable Amadou Bouare, President, APNAC-MALI |
| 1:45 to 2:15 | Discussion |
| 2:15 to 2:30 | Launch of the Anti-Money Laundering Action Guide for Parliamentarians
Honourable Roy Cullen, Chair, GOPAC Global Anti-Money Laundering Task Force |
| 2:30 to 3:00 | Declaration, Announcements and Closing Remarks
Dr. Naser J. Al-Sane, Chair, GOPAC |

APPENDIX B: PARTICIPANTS LIST

Panellists:

Dr. Naser Al Sane, Chair, GOPAC
Hon. John Williams, CEO, GOPAC
Hon. Roy Cullen, Chair, Anti-Money Laundering Global Task Force
Hon. Amadou Bouare, President, APNAC - Mali

Parliamentarians:

Hon. Filali Ghouini, Algeria
Hon. Ibrahim Karali, Algeria
Hon. Aliou Barry, Guinea
Hon. Sakhr Al-Waageeh
Hon. Boyd Hamusonde, Zambia
Hon. Lazarous Chota, Zambia
Hon. Ahmed Boulasri, Yemen
Hon. Abdelghani Wafiq, Morocco
Hon. Abdelazziz Omari, Morocco
Hon. Nazha Alaoui, Morocco
Hon. Mohammed Ihouf, Morocco
Hon. Zaghloul Essaydi, Morocco
Hon. Mary Wachakia, Tanzania

Observers

Mr. Saiful Bhuiyan
Mr. Royd Katonga
Ms. Olajobi Makinwa
Ms. Laura Sanz-Levia
Mr. David Pimm
Mr. Paul Cooke
Mr. Melissa Lawson
Ms. Ilari Rantakari
Ms. Milan Cviki
Ms. Maria Adomeit
Ms. Charbel Sarkis
Ms. Raphaela Toncic-Soringj
Ms. Kavitha Kaman
Dr. Faisal Alfahad

Staff: Andrea Blake, John McCook, Priya Sood, GOPAC (Canada)

APPENDIX C: DECLARATION

Declaration for Fourth Forum of Parliamentarians October 26, 2011

Held in conjunction with the fourth Conference of States Parties
to the United Nations Convention Against Corruption

WE THE PARLIAMENTARIANS (members of the Global Organization of Parliamentarians Against Corruption and other participating parliamentarians), gathered at the fourth Forum of Parliamentarians, parallel to the fourth Conference of State Parties to the United Nations Convention Against Corruption (hereinafter, UNCAC or the Convention), in Marrakech, Morocco on October 26, 2011,

UNDERSTAND the deep seated harmful impacts corruption has on individuals and institutions, the damaging global imprints of the problem and of our responsibilities as parliamentarians to ensure transparency and accountability to fight corruption, which includes the responsibilities set out under the Convention;

ACKNOWLEDGE AND COMMEND those Member States of the United Nations which have signed and ratified the UNCAC;

RECALL THE 2006 Forum of Parliamentarians at the Conference of State Parties (CoSP) at the Dead Sea, Jordan which identified complementary steps parliamentarians could take, such as strengthening parliamentary oversight and parliamentary ethical conduct; the 2008 Forum of parliamentarians at CoSP at Bali, Indonesia which identified ways that parliamentarians could support, in a sustained manner, the implementation of governance improvements needed to prevent corruption; and the 2009 Forum of Parliamentarians at Doha, Qatar which identified how parliamentarians should engage citizens, civil society actors, international agencies and experts to collectively fight corruption;

HEREBY AGREE that parliamentarians need to actively promote UNCAC in their respective parliaments; that the Executive Branch needs to fully implement the UNCAC; that the Executive Branch needs to ensure that there is an annual review mechanism in place and that the Review Mechanism Report is tabled in Parliament and shared in an open and transparent manner; and

STRONGLY ENDORSE that the issues raised in the UNCAC review process be openly debated in Parliament.