



# JOHN HYDE – SPEECH NOTES

## 1.30pm 8 March 2023

As Parliamentarians we need to make sure our decisions are evidence-based. And all the evidence coming from Corruption Commission reports and Auditor-General reports are that emergency funding programmes cause corruption – they don't work, they are not value for money. The KPK in Indonesia goes further to say that they never work. And now as we emerge from COVID we have even more evidence that emergency funding hasn't worked as well as if there were proper procurement and acquittals vetting. As we saw in the UNODC presentation, some 67% of emergency funding decisions during COVID were made quickly by the Executive – parliament and other reviewing agencies were bypassed.

So we now need to work harder to demonstrate that Parliamentary Oversight is needed during and outside of emergency crises. Parliamentary Oversight is one of the most important tools available to Member States to ensure they are implementing their UNCAC commitments properly.

As part of effective oversight, monitoring the implementation of UNCAC provisions on public reporting (article 10), participation of society (13), and protection of reporting persons (33) as well as in ensuring that legislative oversight remains in place even during emergencies or any future crises especially when it relates to public finances (article 9 UNCAC), should be priorities for Members of Parliament and GOPAC members.

I was delighted to participate in the Kiribati UNCAC Review in Kiribati in February 2023 and also in the development of the new Kiribati National Anti-Corruption Strategy.



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In both, the Parliament of Kiribati reinforced its advocacy for Whistle Blower Protection legislation and Right to Information legislation. This is core UNCAC article 10 and 33 implementation in terms of Public Reporting and Protection of Reporting Persons.

I commend the work of our GOPAC Kiribati Chair, Hon Terieta Mwemwenikeaki, and the Parliament team for their excellent work and in ensuring that the Parliament was represented at the three-day UNCAC Review and also the two-day weekend NACS writing session.

It's important that we advocate for Parliament involvement in UNCAC – it's crucial that we walk that talk by doing the hard work of being involved. In 2010 there were only 3 UNCAC signatory countries in the Pacific – today there are all 14, plus Australia and New Zealand. Parliamentarian advocacy helped get all their member countries signed up. And the Review process in the Pacific has been meaningful, with nearly all countries agreeing to full publication of Review reports and recommendations.

Participation of society is also an area where MPs need to increase our UNCAC engagement. Again, I commend the work of the GOPAC Kiribati group that is looking at engagement with youth through sport anti-corruption training.

As many of our Parliaments have the final approval of international treaties, and UNCAC is such a treaty, then the oversight role can also address how Member States and their Executive conduct their UNCAC Reviews.

I've been very fortunate in late 2022 to participate in the Papua New Guinea UNCAC Review and Kiribati in February 2023. In both of these there was excellent participation by civil society, particularly youth, and the private sector. I will go to Tuvalu (a Pacific LDC participating in the Doha UN Conference last week) in April for their UNCAC Review and once again the Government, Parliament and I'm sure the UNODC Review team, will be encouraging broad participation.



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Parliamentary oversight is one of the three core democratic roles of parliamentarians. GOPAC focuses on oversight as related to financial and operational integrity, rather than broader economic or social policy. It is the duty of parliamentarians to require the Executive Branch to follow the rules related to financial operations, and for the government to openly report to Parliament on its exercise of the Executive's powers and public resources granted.

GOPAC's co-hosting of the Forum of Parliamentarians, at each of the nine Conferences of States Parties thus far, in partnership with UNODC, has been a crucial opportunity to foster stronger parliamentary involvement in UNCAC processes. Without good legislation, much of UNCAC can not be implemented. We look forward again to presenting the 10<sup>th</sup> Forum of Parliamentarians at COSP10 in December 2023 in Atlanta, US. Similarly GOPAC hosted the parliamentary workshop as part of the UN Special Session on Anti-Corruption (UNGASS) in 2021 and in a number of the annual Implementation Review Group (IRG) meetings in between COSPs. At a regional level in Oceania, GOPAC is very involved with the Pacific Roadmap for anti-corruption, The Teieniwa Vision, adopted by the 18 member Presidents and Prime Ministers of 18 Pacific countries through the Pacific Islands Forum in 2021, created at the first Pacific Unity Against Corruption Leaders Conference hosted by the President of Kiribati in 2020.

I acknowledge the excellent work that other GOPAC regions have been doing in this space – in Oceania we have been fortunate to have from APNAC, the GOPAC Kenya chair, Hon Shakeel Ahmed, has worked as a resource person in Fiji for development of the Codes of Conduct and with the Federated States of Micronesia assisting with the parliament's work on beneficial interests and other key UNCAC issues. IN SEAPAC, ARPAC, GOPAC America and other regions there has been excellent locally driven and relevant engagement as well. At COSP8, GOPAC strongly supported the Resolution introduced by Pakistan, Resolution 8/14 - Promoting good practices in relation to the role of national parliaments and other legislative bodies in preventing and combating corruption in all its forms. We need



to encourage Members States to revisit this Resolution at COSP10. Other examples from Oceania region include the Parliament of Niue considering Private Members Bills (never used in Niue since establishment in 1966) to introduce integrity legislation for Ministers; and the important oversight work in Fiji for parliament committees to review the annual and other reports of the Fiji Independent Commission Against Corruption.

To make sure that important developments in UNCAC implementation and policy can filter through to parliamentarians, GOPAC uses its Taskforces as a knowledge platform.

**The Parliamentary Oversight Global Task Force (GTF-PO)** focuses on financial and operational integrity which includes: the on-going review of all government revenue and expenditures; and legislation and other parliamentary rules establishing government financial control practices, procedures to account for and report revenues and expenditures, as well as procedures and authorities for parliamentary oversight of financial administration. It also includes legislation and other rules which guide and enable parliament to oversee the implementation of the UN Convention Against Corruption (UNCAC).

The GTF-PO believes that improved oversight plays an important role in preventing corruption.

In the near term the Global Task Force will focus on:

Incentives For Oversight – Measures That Can Be Taken By Parliaments And Parliamentarians.

Oversight Of UNCAC Implementation.

Oversight Of Development Aid And Revenues From Extractive Industries (I.E. Resource Revenue Transparency).

The Adaptation Of The Financial Oversight Handbook For Parliamentarians To Better Align With Regional And National Circumstances.



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For the Taskforce work, Oversight of financial integrity includes:

The Review Of All Sources Of Revenue And Expenditures, Including Tax Expenditures (Preferences).

Legislation And Other Parliamentary Rules Related To Government Budgeting, Debt Management, Expenditure Operations (Including For Example As Related To Procurement And Provision Of Grants), And Financial Reporting.

Legislation And Other Rules Which Guide And Enable Parliament To Effectively Oversee The Implementation Of The Government's Obligations Related To The UN Convention Against Corruption (UNCAC).

**ENDS**



## Background information:

GTF-PO Members:

Mr. John Hyde, Australia (Chair)

Mr. Bryon Wilfert, Canada

Mr. Peter James Loney, Australia

Hon. Mr. Nigel Mills, United Kingdom

Lord Fusitu'a, Tonga

Hon. Mrs. Margaret Quirk, Australia

Mr. Jamal Zahran, Egypt

Hon. Mr. Abel Pires da Silva, Timor Leste

## GTF-PO Position Statement

In order to ensure parliamentary oversight, parliamentarians should encourage regional chapters to consider adapting the GOPAC global position statement and its handbook on parliamentary oversight to better tailor these tools to regional and national needs.

Parliaments should consider undertaking internal and external measures as follows:

### Internal measures:

Ensure That They Have the Powers To Authorize All Revenues (Tax Rates, Royalties, Fee Structures) And Expenditures – Including Expenditures By Ministries And Programs – And Any Executive Decrees Should Be Carefully Circumscribed And Require Subsequent Parliamentary Review And Approval.

Have The Authority to Set Its Own Budget And The Budgets Of Parliamentary Support Agencies, But Do So Only For Core Parliamentary Functions.

Establish, As Required, Procedures For The Approval Of Budgets And Reports On Actual Expenditures And Results.



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Provide In Its Budget The Services Of Professional Staff To Assist It In Its Plenary And Committee Duties.

Have The Authority To Call Witnesses, Including Ministers And Officials, In A Way Which Requires Their Attendance And Response To Hearings Related To Parliamentary Oversight.

If The Executive Proposes And Parliament Agrees To Provide Continuing Authority For Certain Programs (Entitlements), Parliament Should Review These Provisions To Ensure It Has The Powers And Resources To Oversee Such Expenditure In A Manner Equivalent To Its Oversight Of Annually Approved Expenditures.

#### External measures:

Set Out Through Legislation Core Standards for The Executive Branch Utilization Of All Financial Instruments, Including Procurement, Contracts, Grants, And Loans.

Set Out Standards For Reporting To Parliament (And Parliamentary Access To) Actual Revenues, Expenditures And Results.

Set Out Through Legislation Standards For The Public Service, Including Appointment, Compensation, And Accountability.

Establish, As A Parliamentary Agency, An Independent Audit Office With The Power To Audit Departmental Reports And Operations, And Report To Parliament Promptly And Openly On Its Findings.