



GLOBAL ORGANIZATION OF PARLIAMENTARIANS AGAINST CORRUPTION  
ORGANISATION MONDIALE DES PARLEMENTAIRES CONTRE LA CORRUPTION  
ORGANIZACION MUNDIAL DE PARLAMENTARIOS CONTRA LA CORRUPCIÓN  
المنظمة العالمية للبرلمانيين ضد الفساد



**UNCAC AT 20:**  
**UNITING THE WORLD**  
**AGAINST CORRUPTION**



## **2023 GOPAC PARLIAMENTARY DIALOGUE ON UNCAC**

### **PROCEEDING REPORT<sup>1</sup>**

**8 MARCH 2023**

**DOHA, QATAR**

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<sup>1</sup> This proceeding report is prepared by GOPAC Secretariat. Please contact [secretariat@gopacnetwork.org](mailto:secretariat@gopacnetwork.org) if there is any inconsistency between the meeting summary with what you have delivered or presented.

## OVERVIEW

The GOPAC 2023 Parliamentary Dialogue on UNCAC and Annual General Meeting was held in Park Hyatt Hotel, Musherib, Doha, Qatar, on 8-9 March 2023. The Dialogue was attended by parliamentarians and GOPAC members, both through in-person and virtual attendance of at least 33 countries (see [the list of registered participants](#)).

The Dialogue addressed the underlining issues of parliament and parliamentarians' engagement with UNCAC. It explored the current and potential future parliamentary initiatives and innovations that can support the effective implementation of UNCAC, the avenue(s) available for parliaments and parliamentarians to be fully engaged, informed, and aware of the UNCAC implementation gap at international and national levels, the lesson learned, and experiences parliaments and parliamentarians have for effectively supporting the implementation of specific UNCAC provisions.

The event was divided into two dialogue sessions with the theme for each session: (1) UNCAC at 20: the roles of parliament, (2) Parliament and People: Addressing emergencies. The Dialogue was a public event and was organized on 8 March.

On 9 March, GOPAC held an Annual General Meeting attended by GOPAC members only.

## PARLIAMENTARY DIALOGUE ON UNCAC

### OPENING REMARKS

#### GOPAC CHAIR, H.E. DR. ALI BIN FETAIS AL MARRI

GOPAC Chair H.E. Dr. Ali bin Fetais Al Marri opened the Dialogue by expressing gratitude to the distinguished guests and participants who attended the event. He then informed participants that the Dialogue on UNCAC aimed not to celebrate the UN Convention Against Corruption (UNCAC) journey but to review and reassess the instrument implementation to strengthen it. He reminded participants that the convention is in its 20th year in 2023 and that parliamentarians, interestingly, have a relevant contribution under the role assigned to the legislative institution to support and promote legislation against corruption.

He stressed that corruption remains and continues to undermine any government, leading the country into poverty, ignorance, and lagging in development level. In a country where corruption is widespread, future generations pay the negative impact caused by the crime. GOPAC Chair laid out a general example in many countries in Africa, Asia, and Latin America. These countries are blessed with abundant natural resources but remain inflicted with several developmental challenges.

GOPAC Chair also pointed out that to assess whether a country is on the right track of development by reviewing the state budget for two sectors: health and education. Should the budget for these two sectors be no less than the defense or interior sectors, there is a strong chance the country is on the right track for development. He then elaborated on how Qatar has succeeded in progressing the development, including prioritizing budget support for the education and health sectors. He also raised a fundamental issue that impacts the process of progress, which is the need to uphold the rule of law. That all are equal before the law. GOPAC Chair also pointed out the need to lift any immunity

for public officials allegedly involved in corruption cases. In Qatar, he showcased how the Emir of Qatar, His Highness Sheikh Tamim bin Hamad Al-Thani, lifted immunity for public officials when it comes to corruption cases. Therefore, GOPAC Chair firmly believes that the development progress lies in how we can protect public money from any unscrupulous interests and that any corruption shall be dealt with strict measures.

The Chair recalled when he presided the Third Conference of the State Parties to UNCAC in 2009. The conference agreed on the peer-review Mechanism of the convention. However, the negotiation process took a lot of work. There were several challenges from countries claiming that the review would infringe on the principle of national sovereignty. After a time-consuming negotiation, the Doha Resolution, which established the Term of Reference for the Mechanism for the review of the implementation of the UNCAC, was agreed. Parliament, in that sense, can complement the process and effectively support the implementation at the national level.

GOPAC Chair considered the Dialogue an opportunity for parliamentarians to discuss corruption and UNCAC. He concluded his remarks by expressing his hope that the Dialogue could provide a push for a concrete mechanism to ensure that the convention can have its impact on the ground.

#### **President Qatar Administrative Control and Transparency Authority (ACTA). H.E. Mr. Hamad bin Nasser Al Missned**

The President of Qatar ACTA, H.E. Mr. Hamad bin Nasser Al Missned congratulated GOPAC Chair for organizing the Dialogue. He then continued by stressing that corruption is one of the severe scourges that threaten the security of societies and further exploits them. It wastes financial and human energies and hinders development efforts.

He pointed out a close link between corruption in its various forms and other organized crimes, such as terrorism, drug smuggling, human trafficking, money laundering, and others.

The President stated that UNCAC has succeeded in laying the foundations to address corruption through a comprehensive and coherent framework for local, regional, and international action to combat corruption. The Convention also contains specific provisions requiring the State Parties to implement measures, rules, and regulations to prevent corruption before it happens.

In that sense, he underlined the roles parliamentarians could play in the fight against corruption. Parliament is at the forefront of institutions that are capable of, by virtue of their functions and powers, promoting transparency, supporting accountability, and confronting corruption, whether through preventive, criminalization, and prosecution measures. Parliament can also contribute effectively by providing support to enhance cooperation to achieve common goals centered on combating corruption as a serious scourge that impedes many countries' economic and social growth. Corruption itself, he explained, also constitutes a challenge to global security and peace.

With regard to the national implementation, The President of ACTA mentioned that Qatar had exercised several necessary measures to implement the Convention and address the relevant recommendations. Qatar is currently undergoing the second review cycle of UNCAC implementation in mid-March.

To further strengthen the review and oversight process in Qatar, the Emir, His Highness Sheikh Tamim bin Hamad Al Thani held the first parliamentary elections in October 2021 and transformed the Shura Council into an elected council for the first time in the history of the country. The reform of Shura is a reflection of efforts to strengthen the roles of parliament.

**Executive Director UN Institute for Training and Research (UNITAR), H.E. Mr. Nikhil Seth**

H.E. Mr. Nikhil Seth highlighted corruption as a major global challenge threatening our society's stability, prosperity, and well-being. It undermines democracy, hinders economic development, and erodes public trust in all institutions.

It is a scourge that affects all countries regardless of their level of development and political system. It hinders progress toward achieving all SDGs and undermines the efforts of women and men who work relentlessly to bring Agenda 2030 to realization.

The meeting was fortunate as it was organized between the UN Least Developed Country (LDC) 5 Conference. During the LDC5, there was a great deal of focus on the issue discussed in the Dialogue. The LDC also realized that they could not make a transition so desperately needed without ending the scourge of corruption.

He then highlighted the UNCAC as a landmark of the international treaty combating corruption. It is the only global legal instrument that addresses corruption comprehensively. The convention requires the state party to implement a range of measures to prevent, detect, and punish as well as recuperate the proceeds of corruption.

He was happy to see the work of GOPAC over the years in strengthening parliamentarians in implementing UNCAC and combating corruption as a whole. Parliamentarians are the highest moral voice in any society. As representatives of the people, they are responsible for upholding the highest standard of integrity and accountability in public life. They uphold the government to account. Parliaments are responsible for passing laws, overseeing government spending, and holding officials accountable for their activities. Thus, parliamentarians are in a unique position of par and influence.

He later stressed that parliamentarians could not do the work all alone. They need the support of civil society organizations (CSOs) that can identify corruption risks, advocate for policy reforms, and provide oversight and monitoring of government activity. Parliamentarians and CSOs must work together with the government in the spirit of cooperation and partnership.

In conclusion, he hoped that the Dialogue will serve and have an impactful platform for frank and constructive dialogue on many of these issues. The exchange of ideas and best practices can strengthen parliamentarians' efforts to combat corruption. He looked forward to the insight of recommendations and stressed that practical and implementable actions are needed.

**Mr. Giovanni Gallo, Chief of Thematic Support Section Corruption and Economic Branch, Division for Treaty Affairs, UN Office on Drugs and Crimes (UNODC) on behalf of the Secretary Conference of the State Parties to UNCAC, Mrs. Brigitte Strobel-Shaw**

Mr. Giovanni Gallo conveyed the message of Mrs. Brigitte Strobel-Shaw, the Secretary of the Conference of the State Parties to UNCAC, who could not join the Dialogue due to another commitment in Vienna, Austria.

Mrs. Brigitte elaborated that corruption plagues every society and is at the heart of most issues. The fight against corruption and the combined efforts are key enablers in achieving SDGs and the Agenda 2030.

She then highlighted UNCAC as a global instrument, providing an agreed standard to combat corruption, prevention, criminalization, law enforcement, international cooperation, asset recovery, and technical assistance. The convention enjoys almost universal adherence. A unique global peer review mechanism supports the implementation of the convention. It was adopted by the CoSP in Doha under the leadership of Dr. Ali bin Fetais Al Marri. UNODC is the guardian of the convention, the secretariat to the Conference and the review mechanism.

Mrs. Brigitte informed participants about the review mechanism by which the Information retrieved under the country review on measures taken to implement the convention continues to shed light on global practices, difficulties, and challenges. The mechanism allows the state parties to learn from one another. She explained several takeouts from the peer review, such as the findings of 60% provisions implementation on the second cycle review mechanism requiring legislative measures.

In that sense, the legislative bodies have a central role in promoting adherence to the convention, enacting legislative measures to implement provisions of UNCAC, and following up on its review mechanisms.

She further stressed that the UN General Assembly (GA) also recognized parliament's roles. In June 2021, the GA held a Special Session against Corruption, adopting the High-Level Political Declaration, where parliament was acknowledged as one of the actors contributing to the success of UNCAC implementation. The GA also emphasized the need to promote the legislative role in public finances, budget oversight, and more. The Secretary of the CoSP also underlined how GOPAC actively contributed to the content of the political declaration by submitting two written contributions to the negotiation process.

In 2019, CoSP Resolution 8/14 also strengthened the acknowledgment of the parliament's roles. The resolution and how parliament can contribute to strengthening UNCAC implementation will be elaborated in the first Dialogue Session. Mrs. Brigitte also highlighted how UNODC focuses on engaging young parliamentarians through the Global Resource for Anti-Corruption Education and Youth Empowerment (GRACE) initiative by increasing awareness of and commitment to acting with integrity among young parliamentarians.

The year of 2023 for UNODC will culminate with the 10th CoSP to UNCAC held in Atlanta, Georgia, USA, in December. UNODC hoped that GOPAC would again be part of the Conference as it has since 2006.

## DIALOGUE ONE

### UNCAC at 20: The Roles of Parliament

The first session was moderated by Dr. Fadli Zon, GOPAC Vice-Chair. He highlighted corruption as one of the most crucial problems entangling the current global issues. He provided a background that twenty years ago, the global community agreed to devise an international umbrella instrument to fight against corruption.

Nevertheless, challenges remain. He stressed the need for parliamentary community to be strongly engaged in UNCAC. The first panel of the Dialogue would serve to explore the following questions:

- What is the state of the parliamentary roles and involvement in UNCAC?
- How parliament and parliamentarians can be more engaged in implementing UNCAC effectively?
- What platforms are available for parliament and parliamentarians to fully engage in UNCAC at international and national levels?
- Are there any good practices from parliament concerning their roles in UNCAC implementation?

He then proceeded to allow expert panelists to deliver their presentations.

### PRESENTATION

#### **H.E. Mr. Muhyieddeen Shaban Touq, Acting Chairman, the UN Ad-Hoc Committee on the Negotiation of a Convention against Corruption (2002-2003). -Presentation-**

He started by informing participants that the word corruption was taboo in the mid-19th of the last century, particularly in UN circles and international organizations. He remembered that at the time, the World Bank President explained that his primary function in the Ad-Hoc was to bring the big C stands for corruption, out of the closet. Five years later, the negotiation of UNCAC started.

The progress of UNCAC implementation is immense. There has been an increase in national, regional, and international activities around the world regarding anti-corruption. One of the examples is GOPAC and the establishment of IACA, and others. We are now seeing the increasing interest of parliament in joining efforts to fight corruption.

At the same time, there are challenges. The main challenge is that corruption is increasing all over the world. There is three trillion US\$ squandered for corruption, including in money laundering. Secondly, there is a weak implementation of UNCAC provisions, particularly in prevention. Governments are not doing enough to improve their governance system to curb corruption at a prevention level. International cooperation is not at its best, especially when it comes to managing money laundering, asset recovery, beneficial ownership, and others.

In addition, the funding of regular activities of UNODC needs to be put up to hope. Many of the activities emanating from UNCAC are done through extra budgetary means. He then gave an example in resolution 8/14 on the role of parliament, whereby a paragraph mandating UNODC to develop a compendium of parliamentary best practices only when a budget is available. Such a program should not wait for the UNODC budget. He suggested that the parliamentary community can start by themselves to develop the compendium.

He emphasized that the stage is set for effective actions by the parliament and parliamentarians to implement UNCAC provisions. Several instruments are available, such as the Doha Declaration 2019, Resolution 8/14 of the 2019 CoSP, Goal 16 of the SDGs, and the UN General Assembly Special Session against Corruption Political Declaration in 2021.

He elaborated on how parliament and parliamentarians could contribute to implementing UNCAC provisions and preventing and combating corruption through their major roles. In the area of prevention, for example, he underlined how parliament and parliamentarians could support the introduction/development of legislation focusing on corruption prevention. Parliaments can also ensure the provisions of integrity, transparency, accountability, and the role of law in the public sector. They can also monitor the implementation of anti-corruption policies and strategies set by Governments.

Another highlight that he considered extremely important for parliamentary roles was to ensure that anti-corruption bodies are empowered with the proper responsibilities and that they are independent and free from undue government intervention. If we had independent and capable anti-corruption bodies, the fight against corruption would be more robust.

He assumed that there is a possibility that many parliamentarians do not know UNCAC to the required degree, although it is the most important instrument to monitor the work of the government. Therefore, he was happy that GOPAC prepared the manual for parliamentary training regarding this.

He also emphasized the UNCAC review of the implementation mechanism as significant progress to ensure that each country implements the convention properly. In that context, parliament can have a strong involvement as well. Parliament and parliamentarians should be involved in the report in two steps: during the report preparation and after the report is presented to and received feedback from the international community. Parliament must ensure that the legislative institution receives a copy of these reports. He also suggested several other significant measures for parliament, such as ensuring internal procedures free of corruption, establishing an anti-corruption committee, and building partnerships with civil society organizations (CSOs).

In his conclusion, he proposed several ways to strengthen, enhance, and institutionalize the UNCAC regime. He raised the idea of establishing a Permanent Anti-Corruption Council similar to the Human Rights Council as an issue to ponder.

### **Lord Fusitu'a, Chairman, GOPAC Global Task Force on UNCAC. -Presentation-**

He began by saying there are various ways to implement UNCAC at parliamentary levels. He shared the journey of the Tonga Parliament in ratifying UNCAC as part of how the presentation may illustrate the roles that parliament has in UNCAC.

The Parliament of Tonga has advocated UNCAC accession and the establishment of the Parliamentary Anti-Corruption Commission through five different governments over the past 16 years. In 2015, Lord Fusitu'a shared how he and some parliamentary colleagues proposed establishing a parliamentary standing committee on anti-corruption in Tonga. They also re-draft the parliamentary house rules to provide for explicit inclusion of GOPAC and its Terms of Reference in the Rules. They also amended

the House Rules to provide the Chairman and the Parliamentary Anti-Corruption Standing Committee with all the powers of the commissioner and the commission (anti-corruption body). It then led to the establishment of an anti-corruption commission in 2019. Following such advocacy, in 2020, Tonga acceded UNCAC. In 2023, the government announced that the anti-corruption commission and its commissioner would be equipped with a full budget to work.

In his conclusion, he stressed the need to advocate more parliament and parliamentarians more aware of UNCAC as it is a global work and an effort at the national level.

**Mr. Giovanni Gallo, Chief of Thematic Support Section Corruption and Economic Branch, Division for Treaty Affairs, UN Office on Drugs and Crimes (UNODC). - Presentation-**

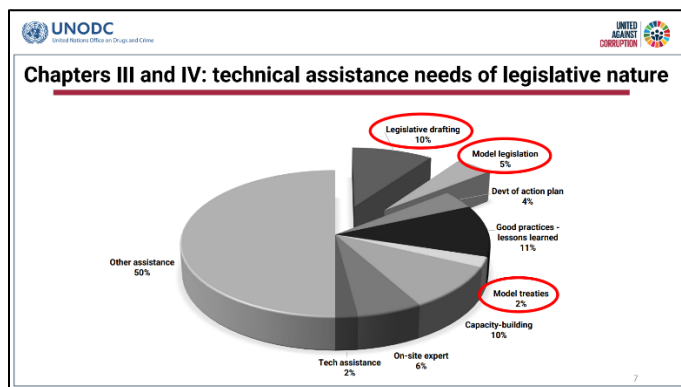
He began by drawing participants' attention to the roles of parliament that intersect with UNCAC implementation. The standard functions of a parliament, such as legislative, oversight, and representational, are closely linked to UNCAC implementation.

He illustrated how parliament, in terms of legislative functions such as ratification, supports UNCAC implementation. The Convention is 20 years old and came into force in 2005. For the convention to come into force, 30 ratifications were required. The ratification was achieved within 24 months. In the UN system, only the Convention on the Rights of the Child came into force earlier by UNCAC. It means that the ratification of UNCAC is speedy enough and that ratification involves parliament.

Ratification is essential, but the implementation is equally important. Soon after ratification, UNODC issued a Legislative Guide (2006 and revised in 2012) containing detailed advice and suggestions that the State Parties can exercise necessary legislative measures to implement the convention.

He also made participants more aware of the UNCAC review mechanism by providing further information regarding its cycle and areas of convention. In the first cycle, the State Parties review criminalization and international cooperation provisions. The second cycle relates to the provisions for preventing corruption and asset recovery.

Upon the review of Chapter III (criminalization of corruption) and IV (International Cooperation), data is gathered on how many countries on the review have identified implementation gaps and needs to bridge those gaps that have to do with legislative work (legislative drafting, model legislation, model treaty).



These are what he suggested as concrete answers to what needs to be done regarding legislative measures.

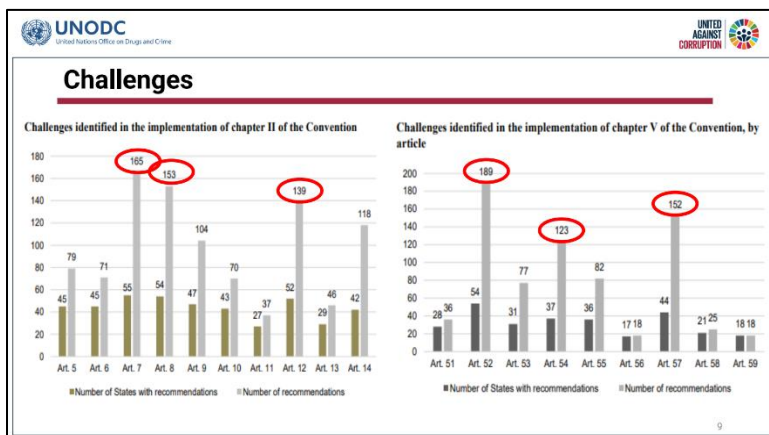
He then moved to inform participants about the prevention area, where UNCAC is unique. Since it provides a prevention sector as a whole chapter, it recognizes that repression or punishment of corruption is not enough.



He presented a graphic showcasing some challenges identified in implementing Chapter II (prevention) and Chapter V (asset recovery). In Article 7 (measures to prevent corruption in the public sector), for example, a figure of 165 implementation gaps worldwide has been found. Article 8 (code of conduct for public officials) has 153 implementation gaps. At least 139 implementation gaps have been found in Article 12 (prevention of corruption in the private sector) review. He later went deeper by informing participants about the gaps whereby countries identified a need for more or adequate legislation to regulate how to go from public to private jobs.

There is no law that determines the time duration required before transferring from the public to the private sector.

Under the same article, almost 50% of states reviewed do not have any legislation that disallows the tax deductibility of expenses that constitute bribes (facilitation payment).



In asset recovery (chapter V), Article 52 (prevention and detection of transfers of proceeds of crime), there are at least 189 implementation gaps regarding enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are or have been, entrusted with prominent public functions and their family members and close associates.

The technical data and figures provide an overview of how the implementation gaps relate to the legislative/parliamentary area. Having realized that the roles of parliament are significant in supporting UNCAC implementation, in 2019, the Conference of the State Parties to UNCAC in Abu Dhabi adopted Abu Dhabi Declaration (Resolution 8/13) and Resolution 8/14 on Promoting good practices in relation to the role of national parliaments and other legislative bodies in preventing and combating corruption in all its forms which specifically mention the crucial role of parliament. After almost ten years of functioning the review mechanism, the CoSP, the highest global policy-making body on anti-corruption matters and UNCAC implementation, recognizes the importance of parliament and parliamentarians in taking action to meet the recommendations of the implementation review mechanism.

Implementing these resolutions, especially the resolution of 8/14, as informed, will depend on the provision of extrabudgetary resources. It is factual to say that such extrabudgetary resources never materialize.

In 2021, the UN General Assembly Special Session also highlighted the role of parliament in its political declaration. He also stressed that the contribution of the parliamentary community is vital to the global work of anti-corruption. He also underlined that GOPAC is the only entity consistently holding a parliamentary forum amidst the CoSP. Therefore, he expressed his hope that GOPAC continues to do so, and UNODC is looking forward to continuing to engage with GOPAC for it.

## **Hon Terieta Mwemwenikeaki, GOPAC Kiribati chair and former UNCAC Focal Person for Kiribati. -Presentation-**

He started his presentation by introducing Kiribati, a Pacific Island country, a former colony of the British Empire, located in the Central Pacific, scattered north and south of the equator. Kiribati's parliamentary system is unique. It adopts a blend of British and American models. The Speaker of the parliament is not a member of parliament but nominated by political parties. Parliament has the right to nominate a presidential candidate(s). The candidates are then elected as president through the General Election.

He shared some of the key progress in the implementation of UNCAC. Kiribati acceded to UNCAC in 2013 and, since then, has managed to carry out several activities. First, Kiribati developed the first national anti-corruption strategy in 2016. Kiribati also established the first-ever Leaders Code of Conduct Commission, with a law passed in parliament. The commission deals with the corrupt practices of our leader. Kiribati also established a corruption control and integrity unit within the public service office. Kiribati also hosted Pacific Regional Summit, which adopted Teineiwa Vision, a vital regional anti-corruption tool to combat corruption in the Pacific.

In Kiribati, the government dominates the implementation of UNCAC, with little role for parliament. That begs the question of how parliament can be more proactive in advancing anti-corruption in Kiribati. In 2013, parliamentarians from Kiribati set up GOPAC Kiribati Chapter. However, it was inactive due to a lack of clarity in its role and a lack of parliamentary support and resources. Fortunately, in 2022, parliamentarians reactivate GOPAC Kiribati with members comprising ruling and opposition parties. Interestingly, we volunteered to be a member of GOPAC Kiribati, not selected by our parties.

In answering how parliamentarians can be more active in the implementation of UNCAC, he suggested several actions, such as: having a clear term of reference for any anti-corruption parliamentary-related body, including the GOPAC national chapter. In that part, GOPAC needs to work to promote Transparency, Accountability, and Good Governance amongst parliamentarians, national and community leaders, and the general public at large, Work with National Anti-Corruption Institutions to advance the implementation of UNCAC, Work closely with the Parliament Public Relation Unit to promote anti-corruption agenda and to improve the understanding of the general public on corruption, Work with all Parliamentarians and local communities to promote the Teieniwa Vision, among many others.

He further suggested the way forward for the GOPAC national chapter, including in Kiribati, in advancing the work of anti-corruption as follows:

- Improve Engagement of MPs  
That GOPAC National Chapter, including Kiribati, should be ready to work on a voluntary basis, committed and passionate to promote GOPAC agenda. GOPAC Kiribati intends to engage as many MPs as possible in GOPAC-Kiribati 2023 activities.
- Law updating and New Laws  
GOPAC Kiribati is ready to update and make new Laws (Freedom of Information & Whistleblower) on Anti-Corruption to further strengthen Parliament oversight role – to fight and prevent corruption.
- Strengthen Support

As mentioned, GOPAC Kiribati needs to secure the utmost support of Parliament's Speaker and Clerk and work in partnership with all National Anti-corruption Institutions as well as the whole of society sustaining strong Leadership and Political Will.

- Enhance enforcement of the law through effective oversight on the enforcement of current anti-corruption laws.
- Reinforce cultural and Christian values since Kiribati is a Christian country. By doing so, it can reinforce the mind-set and attitudes of the people, especially the young generation.

### **Senator Marie Rose Mureshyankwano, APNAC Board Member, Senate of Rwanda.**

#### **-Presentation-**

She first introduced the format of Rwanda's bicameral parliament comprising the Senate of Rwanda and the Chamber of Deputies. The role of parliament in fighting corruption is embedded in deliberating the law and passing the law, as well as providing effective control and oversight. The fight against corruption is also rooted in Rwanda Constitution, especially in Article 10 of the Constitution.

Rwanda has taken a position of zero tolerance for corruption. The Parliament of Rwanda has created a commission that can fight against corruption. She elaborated on several critical parliamentary tools against corruption, such as the Committee on political affairs and gender, the public account committee, and APNAC Rwanda Chapter. The network is affiliated with APNAC Regional Chapter. It was created in 2005 to support the Rwanda Government's action in preventing and fighting against corruption and related offenses with the framework of parliamentary diplomacy. The member of this APNAC Rwanda is up to 80 members of parliament from both chambers.

She outlined several critical laws relevant to fighting corruption. The senator highlighted one of the laws, that is whistleblower protection. The law was adopted in 2017 and is meant to protect whistleblowers to safeguard public interest.

She elaborated how APNAC Rwanda's approach to fight corruption, such as:

- Advocating on issues of corruption related laws and considering room for improvement in a bid to combat corruption.
- Reinforcing the parliamentarians' capacities in prevention, fighting against corruption through legislative mission of the parliament and overseeing government activities through regular training.
- Setting up strategies and programs to prevent and fight against corruption related offences.
- Sensitizing the population on harmful consequences of corruption and related offences.
- Creating awareness on actions of parliament in preventing and fighting against corruption.

However, several challenges remain in Rwanda, such as the persistence of corruption in sophisticated forms despite the sensitization made until today, the prevailing gaps in the legal framework on corruption and related offenses across the region, and difficulties in providing evidence on suspected cases of corruption and related offenses. Lastly, she underscored how witnesses of corruption are still few, even though there are laws protecting them.

She concluded her presentation by quoting the President of Rwanda, Paul Kagame statement regarding corruption: "Holding people accountable for corruption has a huge political cost, but it is not as high as corruption itself,"

## **Senator Minerva Hernandez, GOPAC Mexico Chair**

She acknowledged that GOPAC gives parliamentarians a space for deliberations and organizations for actions such as combating corruption internationally. Among these efforts is the proposal of strengthening parliamentary roles in promoting integrity, accountability, and proper management of public affairs and resources.

In Mexico, she outlined that agreements have been made to promote transparency, access to information, accountability, ethics in the public service, democratic institutions, and governability, in addition to the strengthening and independence of control and oversight bodies. That led to the establishment of a national anti-corruption system, an instance of coordination between authorities of all levels of government compliance in prevention, detention, punishment, and administrative responsibility.

She mentioned another example in the parliament by establishing Parliamentary Openness and adjusting the legal framework to strengthen the fight against corruption. An example of the result of these works was the integration into the legal framework of the Citizen and Civil Society Organization Initiative of Law three of three (3 of 3) against corruption which sought the creation of norms to formalize the obligation of all public servants in the state to make three declarations: assets, interests, and tax (fiscal matters).

The Law 3 of 3 proposes the following, among others:

- The obligation to submit declarations of assets, interest, and taxes for all officials periodically and publicly.
- An ethical conduct to be followed by public servants.
- A single framework of responsibilities for public servants in three levels of government and autonomous bodies.
- Preventive measures based on international best practices and sanctions to prevent the private sector from engaging in corruption.
- Mechanism for citizens to report acts of corruption anonymously and safely.
- A classification of 10 acts of serious corruption (diversion of public funds, influence peddling, bribery, abuse of functions, illicit enrichment, obstruction of justice, collusion, illegal use of false and confidential information, nepotism, conspiracy to commit acts of corruption).
- Creation of a digital data platform that centralizes information necessary for research.
- Establish severe penalties for public servants who commit corruption.

The Citizen Initiatives Law was debated and presented to the Senate on March 2016 by a plural group of citizens and organizations which delivered more than 600.000 signatures of support for approval of the law. The initiative was transformed into the law approved in June 2016 through the Law on Administrative Responsibilities of Public Servants.

Regarding the UNCAC review mechanism, in 2020, with the support of UNODC, she briefed participants that Mexico applied review implementation at the local level, replicating the UNCAC peer-review mechanisms. Therefore, Mexico is the first country in the world to replicate the review mechanism at local levels with the participation of all authorities related to anti-corruption, impunity, oversight, and accountability. It is worth mentioning that the national peer review mechanism is a

review process in which the states (Mexico's local level) evaluate each other in the implementation of the convention. It should be added that such a review could be noted as a transversal development to support SDG 16.

GOPAC Mexico also acknowledges the roles of local legislators (the States parliamentarians). It is the first time in GOPAC Mexico work that local legislators are involved in constructing a national network of legislators of integrity, with plural, inclusive and coordinative work. To add weight to such a process, she added that it is important to acknowledge the roles of all levels of parliament to fight against corruption.

The work of GOPAC Mexico has its final goal to effectively impact the fight against corruption in legislation fields and the popular representation of legislators. She prioritized the following actions for GOPAC Mexico:

- Identify relevant legislative projects on current GOPAC precedence, such as the Doha Declaration of the 7th GOPAC Conference.
- Review and analyze reports, studies, and data that reveal situations, causes, circumstances, and acts of corruption and the scope of the states' and society's efforts, emphasizing compliance with related international instruments.
- Participation with emphasis on initiatives that seek to sanction emblematic cases of corruption, asset recovery, combating money laundering, beneficial ownership, and reparation of damage to victims. She also informed participants that she had promoted a legislative proposal to strengthen the sanction of corruption cases and strengthen the recovery of assets.
- Seek the realization of Open Parliament actions and collaborate with civil society and business entities.
- Promote self-examination of integrity within the legislative branches in respect of ethics, equity, transparency, and accountability.

### **Hon Billay Tunkara, Majority Leader of Parliament of the Gambia**

He recognized how parliament has a strong role in implementing UNCAC, especially in law-making and oversight. The Parliament of Gambia, in 2012, enacted the Anti-Corruption Act mandating a body to fight corruption. However, the provision of the law falls short of the benchmark of the convention and other international standards since no commission was established, nor was the act implemented.

In 2019, a new bill called the Anti-Corruption Bill 2019 was introduced to bring national legislation in line with the convention and international standards.

It is also equally crucial that parliament's role is to establish an anti-corruption commission and provide adequate resources given to the commission as an independent commission. He stressed the commitment of Parliament towards such. He hoped it would pass through all its stages and be enacted before mid-year.

The Parliament of Gambia is committed to the ideals of UNCAC and domesticating the provisions.

Transparency and accountability issues are not only related to the government but also to parliament to be able to open themselves to public scrutiny. For the first time in the history of the Parliament of

Gambia, a committee was established exclusively to handle the public petition system. It was unprecedented as the public effectively used the parliamentary tools to address their interest.

To fully implement the convention, we will be required to amend or adopt new laws and to ensure that such laws are passed to a high standard by the convention. He also encouraged parliament to go paperless to avoid human transactions during parliament work.

## Discussion

Several delegates registered their interventions for the discussion.

A delegate from **Kenya** raised a concern that the international system, especially within the UN does not recognize parliament and parliamentarians significantly as the representatives that need to be consulted. UN mainly deals with the executives/government, not with the parliament. He referred to an example where a parliamentary delegation sometimes cannot be considered part of a national delegation in the Conference of the State Parties (CoSP) to UNCAC. He thanked GOPAC for facilitating parliamentary participation in the CoSP, yet parliament also needs to urge the UN to make the inclusion of legislators in the national delegates of the CoSP mandatory.

The delegate from **Kuwait** thanked all panelists for their clear presentation about how parliamentarians must work to implement UNCAC effectively. He believed that parliamentarians who attended the event would know their role in following the convention. He highlighted that GOPAC will continue to campaign to fight against corruption. He introduced GOPAC's parliamentary toolkits, which could be accessed freely on the website. He also mentioned that an Arabic version of the toolkits, which have been updated, is also available and will be published in a printed version soon.

A delegate from **Libya** highlighted the crucial importance of international cooperation concerning the fight against corruption. She underlined that corruption is rampant in conflicts and or post-conflict countries. She stressed Libya's need for international and regional support to combat money laundering, recover assets, and prevent corruption. She also pointed out how parliamentarians must raise their capacities to review and monitor the budget to prevent corruption.

**Jordan** delegate raised the need for concrete and practical indicators of how corruption has been addressed. Such concrete measures are necessary for numerous meetings, agreements, and others to be effective. The indicators are needed to evaluate the state of combating corruption in each country, whether they are progressing, standstill, or lagging. He supported the idea of strengthening the anti-corruption commission, which could result in progress in fighting corruption. Therefore, in Jordan, Parliament is studying to amend regulations to strengthen the Anti-Corruption Commission and the Audit Bureau so they can fully carry out their functions.

A delegate from **Algeria** shared how the country, under the President of Algeria, H.E. Abdelmadjid Tebboune, launched measures to combat corruption at all levels of public officials with strict punishment and deterrence mechanisms. The measures led to the amendment of the Algeria Constitution in 2020, including the country's commitment to work to prevent and combat corruption in accordance with the international agreements that have been ratified. He also reiterated the call from the President to strengthen international cooperation, especially regarding corrupt-stolen asset recovery.

The delegate from **Indonesia** shared the country's progress in implementing UNCAC provisions. The recently updated effort is that the Indonesian House is preparing to deliberate asset recovery bill to complete the implementation of UNCAC further. He also inquired the panelist regarding bribery issues. UNCAC provides legally binding standards, including criminalizing foreign bribery. However, [a Transparency International study](#) showed that nearly half of the [world's largest exporter countries fail to punish foreign bribery](#). Those numbers included half of the G20 countries and eight of the top fifteen global exporters.

Interestingly, those countries are also at the top of the cleanest countries in the TI's Corruption Perception Index (CPI). He deemed these countries free of corruption domestically while exporting corruption and foreign bribery outside of their jurisdiction. Therefore, he wished to hear more about the efficacy of the global standards on anti-bribery.

A delegate from **Ghana** shared his conviction that combating corruption needs to be done collaboratively between three branches of power, the media, and civil society. He echoed the concern from Kenya regarding the lack of parliamentary involvement in the UN. After 20 years of UNCAC, he believed it is time for parliament to review holistically what kind of laws are effective. He emphasized the need for the UNCAC review report to be made public so that parliament can do more to follow up.

An idea proposed by H.E. Muhyieddeen Shaban Touq, the Acting Chairman of the UN Ad-Hoc Committee on the Negotiation of a Convention against Corruption (2002-2003) during the presentation regarding the establishment of Anti-Corruption International Body / UN Commission against Corruption was supported by **Malawi** delegate. The creation would provide an impetus against corruption as to other issues. He was also excited to share the belief that parliament should have a specific anti-corruption committee.

**Thailand** Delegate registered his written statement online due to technical problems with the interpretation language service. He shared numerous national laws to fight against corruption. He also informed participants that currently, the National Anti-Corruption Commission (NACC), an independent constitutional organization, is reviewing its 2018 Organic Act on Anti-Corruption, taking into account new tools to enhance the effectiveness of law enforcement such as the use of settlement for bribery cases with legal persons. At the parliament level, he showcased how parliament also contributed to implementing Article 8 of UNCAC through the Conduct Parliamentary Regulation on Code and Ethics for Individual Members of Parliament. Two standing committees of the parliament: The Senate's Committee on the Examination of Corruption and Misconduct and the Promotion of Good Governance and the House of Representatives' Committee on Corruption Prevention and Suppression, are, within their respective mandates, overseeing measures against corruption. He also emphasized the importance of individual education to resolve corruption. A "Honest Society" project was launched by the National Assembly to raise awareness of integrity among all sectors, especially the youth, to achieve clean politics by eliminating vote-buying and all forms of corruption.

Through his online participation, a delegate from **Azerbaijan** registered his written statement outlining numerous legislative measures implemented by Azerbaijan and the Mili Majlis (Parliament) to combat corruption. He also shared measures to combat corruption during the emergency, in particular the COVID-19 pandemic.

The discussion concluded with a response from H.E. Mr. Muhyieddeen Shaban Touq, representing the UN Ad-Hoc Committee on the Negotiation of a Convention against Corruption (2002-2003). He explained that international organizations, particularly those of inter-governmental organizations like the UN, work directly with the government, not the parliament. Negligence lies with the governments that do not include parliaments in the picture of what is happening in the international arena. However, that should not be an excuse for parliamentarians. Parliament has a basic function that is necessary enough to monitor what is happening in the world of combating corruption. The Government should also inform the parliament and the public about what is happening in the regional and international arena.

Regarding parliamentary involvement at the international level, he agreed with the precedence between UNODC and GOPAC to hold a Parliamentary Forum during the Conference of the State Parties. He suggested that when the forum is held, and the governments have been made aware of the event, they must include parliamentarians to be represented in the forum.

He also underlined the issue of international cooperation, which is very relevant to many countries, especially those trying to recover their stolen assets. It would also be beneficial for parliamentarians to establish a GOPAC branch in every country, like in Arabic countries, African countries, or Latin American countries. Such a network can strengthen relevant international cooperation and push governments to strengthen their cooperation.

In conclusion, he urged parliaments to work with their government to combat corruption and active international involvement in the UN.

Mr. Giovanni Gallo, Chief of Thematic Support Section Corruption and Economic Branch, Division for Treaty Affairs, UNODC, at the beginning of the second session addressed the concern regarding parliamentary involvement at the UN level. He stressed that the UN, in particular the UNCAC Secretariat operates on equal terms with the executive, the parliament and the judiciary. He also showcased an example whereby during the International Women's Day observance, the same day of the Parliamentary Dialogue event was held, the UNODC at the global level organized a dialogue entitled "Woman in justice, Women for justice", involving the judiciary authorities around the world. He stressed that the UNODC engagement is equal for all branches of power.

He admitted that, beyond the UNCAC, the UN, as part of multilateral rule, operates mainly via the Ministry of Foreign Affairs. It is a rule that applies not just to UNCAC but also to the multilateral system. The UN is aware of this situation. Therefore, the UN, in cooperation with the Inter-Parliamentary Union (IPU), organized a parliamentary hearing at the GA, annually. He suggested parliamentarians who wish to reform the multilateral system by involving parliament at the international level could raise their voices at the venue.



## DIALOGUE TWO

### **Parliament and people: addressing the Emergencies.**

The second session was moderated by Mr. Alex Meija, Director, Division for People and Social Inclusion, UNITAR. The session will discuss specific issue related to the implementation of UNCAC provisions on public reporting (article 10), participation of society (article 13), and protection of reporting persons (article 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).

He drew the attention of participants to his [presentation](#) to provide an overview of the topics discussed in the second session. He elaborated on the current state of corruption, as perceived portrayed by the Transparency International Corruption Perception Index (CPI), the crucial roles of parliament to combat corruption, and the UN's effort to combat corruption.

He then moved on introducing the Disaster Risk Reduction (DRR) including the Sendai Framework for DRR context to parliamentarians as the issue correlates strongly to the emergency. The scale of the disaster impact depends on the choices we make for our lives and for our environment. The UNODC study regarding COVID-19 pandemic, where 70% of emergency procurement happened directly without the support and legitimacy of enacting a law is an example of how a policy option affects daily lives of the public. He added that only 30% of the emergency law passed under consultation with the parliament.

In addition, with regards to the development of national DRR strategy, he ensured participants that not many of such strategies include measures to prevent corruption. Therefore, there are numerous things to do in terms of combating corruption during an emergency.

He then proceeded to allow expert panelists to deliver their presentations.

### **Mr. John Hyde, Chair, GTF Parliamentary Oversight. -Presentation-**

He began by underlining that the focus of the discussion would be on parliamentary roles in terms of emergency funding. Parliamentarians need to ensure that their decisions are evidence-based and not based on perception. Evidence-based material can be acquired from anti-corruption bodies' reports and massive audit reports, including whether the emergency funding works.

He gave an example where the anti-corruption commission in Indonesia did massive research into how COVID-19 funding, and other disaster funding were disbursed. The result did not merit what was being spent. There was no value for money.

He stressed that parliamentary oversight is equally crucial outside and during emergencies. During the pandemic, many parliamentary procedures have been bypassed. Thus, oversight is a crucial tool for parliament to fight corruption and ensure that UNCAC provisions are properly implemented.

He addressed the issue of the UN or GOPAC involving parliament at the international level by sharing the example of a parliamentarian from Kenya who has relentlessly requested the President to involve him, a parliamentarian, as part of the CoSP Kenya official Delegation. In every CoSP, GOPAC

encourages the government to include parliamentarians as formal delegation members. He stressed that parliamentarians must showcase that the parliamentary work matters to the issue.

He shared his experience during his involvement in the Kiribati UNCAC review, where he found that parliament advocated very strongly for whistleblowers and the right to information legislation. These are part of the UNCAC review issues that Kiribati needs to address. It showcases that parliament advocacy can make a real impact, including getting oversight underway.

Regarding the legitimacy of the oversight, especially in UNCAC provisions, he stressed that the role is not limited to passing the international treaty or only receiving the report pages. Parliament needs to debate and look over the report as a follow-up.

The GTF on Parliamentary Oversight emphasized that its work focuses on advancing the parliamentary capacity to oversee financial and operational integrity issues rather than broader economic and social policies. In that sense, although GOPAC and GTF on Parliamentary Oversight had developed several guidebooks and handbooks on technical aspects of oversight, a modern toolkit is required to strengthen the capacity of how parliamentarians could implement the UNCAC article. He hoped that GOPAC and UNITAR could provide evidence-based capacity building and training concerning the matter.

### **Senator Jorge Carlos Ramirez Marin, Senate of Mexico**

His presentation was based on the senator's experience when he served as one of the cabinet members. He shared several practical aspects to prevent corruption during the reconstruction stage. He suggested the use of technology to prevent corruption during reconstruction.

When parliamentary oversight is exercised over what the Government does during reconstruction, matters like the double or tripled cost of reconstruction materials due to corruption can be averted. Technology can also be useful in speeding up administrative procedures for procurement. When online procurement exists and the reconstruction process is streamed, the honesty of the contract can be attested, and the material used for the reconstruction work can be controlled.

To that end, electronic oversight through online communication and real-time supervision, electronic invoicing, and e-payment will reduce people's capacity to corrupt or commit fraud. He suggested that the international community take advantage of technology to fight corruption, including during the phase of post-disaster reconstruction.

### **Hon. Kavinda Jayawardana, Sri Lanka Parliamentary Caucus for Open Parliament Initiative.**

He shared the benefit of having the initiative to make Parliament more open and transparent. In Sri Lanka, several parliamentarians, including him, have initiated an Open Parliament Initiative Caucus and achieved several milestones during its course.

The public can now access the committee's works via streaming, social media, and even any document publication. At the same time, several checks and balances measures are imposed in Parliament. It can be seen in the Public Finance Committee, which needs to be chaired by the opposition party. Thus, check and balance occur whenever a public finance-related bill is discussed.

With the current bankruptcy status, Sri Lanka can be a unique case study regarding recovery and the fight against corruption. He also elaborated on the mission to bring the Open Parliament Initiative to the electorate level to promote public awareness that Parliament is easily accessible. He also shared that several anti-corruption-related bills will be introduced within the current government period, including the Asset Recovery Act.

### **Mr. Rodrigo Herrera Bravo, Chair, GTF Open Parliament and Participation of Society. - Presentation-**

He first shared several information on the legal umbrella of participation of society and combating corruption. In terms of participation of society, the Constitution gives the public the right to introduce a bill whenever the supporter of such bill represents three percent of the population. The Congress of Argentina cannot reject the proposal and should discuss the bill.

Regarding the Open Parliament, the Chair of GTF on Open Parliament and Participation of Society, outlined the timeline when the parliament adopt the Open Parliament Initiative. It started in 2016 when the House of Representatives created the Modernization, Transparency, Innovation and Democratic Enforcement Program. In 2018, the House of Representatives developed a platform on Open Data and over the course of 2019-2021 another platform was developed with regards to Open Draft of Law.

In terms of the Open Draft Law, the Parliament is now exercising a collaborative writing process of the law. The public or civil society organizations can participate through documents, opinions, suggestions submission through the [Open Law Portal](#). The Portal can also be used to make survey, field research, mapping and other services both for citizens or non-governmental organizations (NGOs) as for parliamentarians.

### **Judge Mohammed Al-Askari, President, Chamber of Criminal, Court of Cassation, Tunisia. -Presentation-**

He started the presentation by sharing the Tunisian experience in exposing several corruption cases related to the COVID-19 pandemic. These cases include a two million masks procurement contract awarded to a member of parliament, the monopoly, speculation in the sale of foodstuffs, and cases of violation of quarantine rules. A judicial investigation is opened for corruption and abuse of influence concerning the case of a parliamentarian awarded a mask procurement contract.

The judge also elaborated on several detailed guidelines required to interpret the implementation of several UNCAC provisions. In terms of the right of access to information, he referred to the Basic Law No 22 of 2016. The law mentions that access to information does not include revealing whistleblowers' identities. It means protection is given to the whistleblower.

Later in 2017, Tunisia adopted a Law regarding reporting corruption and whistleblower protection. It defines the condition of and procedures for reporting and the designation of reporting.

A protection mechanism can be granted to the whistleblower and persons closely related to him/her. The protection measures include security, transfer protection, legal and psychological counseling,

and compensation for the damage he may receive. In terms of protection mechanisms, an option is given for the whistleblower to remain confidential in his/her identity.

### **CLOSING REMARKS**

The session concluded with the introduction of the revamped website of the Global Organization of Parliamentarians against Corruption by GOPAC Executive Director Mr. Firas Alhadithi. The website can be accessed at [www.gopacnetwork.org](http://www.gopacnetwork.org).

The new website serves as the primary communication platform between the organization, its members, and the international community. The web includes online registration for parliament and parliamentarians interested in joining as members. In its final development, the website will also be a social platform that connects interaction between members, regional and national chapters.