

UN AGENCIES CONNECTING WITH ACADEMICS AND THE CIVIL SOCIETY

JANUARY 11-13, 2012

BRIEF REPORT ON UN COLLOQUIA SESSION V: EFFECTIVE MEASURES TO FIGHT CORRUPTION

By Bertha Nyarire Makilagi

MODERATOR: MAXIMILIAN EDELBACHER, ACADEMIC COUNCIL ON THE UNITED NATIONS SYSTEM (ACUNS)

VENUE, UNOV- M BUILDING, M3

TIME 9AM- 11AM

I. INTRODUCTION

This is a brief report on the presentation on the topic, *'Effective measures in Fighting Corruption'*. The panel consisted of practitioners from the United Nations Office on Drug and Crimes (UNODC) namely Dimitri VLASSIS, who is the Chief of Economic and Crime Branch and Mirella DUMMAR FRAHI, Civil Affairs Officer (UNODC). The other presenters were from Transparency International including Martin KREUTNER who is the Chair of International Anti- Corruption Academy (IACA) and Transparency International (TI) Austria, Adam FOLDES, Transparency International (TI) Hungary and Pavel NECHALA, from Transparency International (TI) Slovakia. The last panelist was an academician from Webster University in Vienna, Prof. Gregory WEEKS.

The Moderator started the Conference by introducing the panelists and welcoming the audience to the Conference. He further initiated the discussions by posing the following questions to the panelists. To what extent is the civil society involved in the long fight against corruption? And is the corruption trend changing?

II. DISCUSSIONS

Dimitri VLASSIS

Mr. Vlassis started his presentation by posing an important question. Is corruption increasing or is the awareness of corruption increasing? He is optimistic that the latter is increasing due to the shift in attitude and lower tolerance of corruption by the society.

In the past, people found an easy way out by blaming culture on the issues of corruption. However, he made it clear that corruption is not a cultural issue as no culture in the World favors or supports corruption due to the negative outcome that comes along with it. For instance, counterfeited medicine falling of buildings is neither favored nor supported anywhere in this World.

The United Convention against Corruption (UNCAC) was signed due to the rise of corruption on the political agenda, thus it was important to continue to establish anti-corruption culture through actions by countries.

Two thirds of the member states bind themselves to the Convention. The question is, is this window-dressing or is it real? The answer is that, it is real, though it is a process.

Furthermore, Mr. Vlassis informed on the Peer Review Mechanism according to which one country is reviewed by two countries. The first cycle is finished and the second will be completed in the year 2015. Currently, 60 reviews are underway. This shows us a picture of the trend and how countries approach the issue of corruption.

Moreover, he urged that there is a need for a balance to enforce law and prevent crimes. One key measure of preventing corruption is education in order to build the next generation and target law and business schools with awareness on the issue at hand.

Mirella DUMMAR FRAHI

She started her presentation by defining Civil Society Organizations (CSO) as being a wide array of non-governmental and not-for-profit organizations.

She further cited some Articles from the UN Convention against Corruption including;

Art 13: Participation of the Society. This article clearly shows that you cannot fight corruption if there is no societal participation therefore; the society needs access to information and education. The UN has also announced that every 9th of December is the day for Awareness raising in the fight against corruption - the International Anti- Corruption Day. In 2011, several nongovernmental organizations in Bangladesh and India celebrated differently this day with the themes ACT against Corruption Today and the Zero Rupee Notes respectively.

THE ROLE OF THE CIVIL SOCIETY IN THE IMPLEMENTATION OF THE UNCAC

- Promote ratification of the Convention
- Monitoring, reporting and whistle blowing
- Training CSO on the UNCAC.
 - The civil society can contribute a lot to the peer review. Furthermore, the positive results of the first cycle of the review can be partly attributed to the role and engagement of the civil society.
 - Thus it is imperative to equip the civil society organizations with substantive knowledge.
- UNODC partners with the UNCAC coalition and are planning for a Conference in March, to be held in South Africa this year 2012.

THE ROLE OF ACADEMICS

Academics need to join forces with the civil society organizations.

Martin KREUTNER

He agreed that there has been tremendous progress so far in the fight against corruption. However, there is a need for a broader contextualization of corruption. The common practice of associating corruption with someone and the issue of blaming and shaming should be stopped. There is the need to start with our homework and keeping our houses in order before blaming others.

Mr. Kreutner also mentioned four important pillars in the fight against corruption. These include Enforcement (Compliance), Prevention, Education and International Co-operation.

Corruption is not only in the public sector but also in the private sector, thus need to encourage a free-business model.

He noted that an International Anti-Corruption Academy has been established within the framework of the UN ECOSOC since September 2011. This Academy will provide training assistance to students and empower professionals.

In other countries, corruption is called a survival strategy due to the low income wages. However, low income should not be the basis for legitimizing corruption, as corruption should be resisted in the first place.

Mr. Kreutner further proposed that there is need for international jurisdiction on corruption, such as it is on drugs and other criminal cases. Corruption needs to be a transnational issue and not dealt with domestically.

Prof. Gregory WEEKS

Prof. Weeks presented a researched paper on Best Guesed: How Much Corruption is There Really in the Humanitarian Aid? He gave an overview of the problem, defined corruption, monitoring the crisis, how corruption is managed and lastly estimated the impact.

Measuring corruption in humanitarian aid is problematic and there is only few research on it. Corruption and aid are important issue to be looked into.

The World Bank has not been able to look closely at this issue. Despite the guesses, there is no figure as to what extent corruption is involved in aid. However, it is estimated that billions have been lost on corruption from aid.

Prof. Weeks stated that corruption is a crime against growth, justice and democracy. This is because it drives public resources away from the people in need, therefore the community resources are used for private benefit.

Moreover, he said that the definition of corruption itself is either too specific (by the UNCAC) or too vague as the abuse of power for private gains (by TI). The TI definition of corruption is the one that is mostly accepted.

Prof. Weeks tended to disagree with Mr. Vlassis on the matter of corruption vs. culture. He said that defining corruption is limited to culture and differs from culture to culture. Corruption is not only a legal, it is also a cultural issue.

He further continued to state that aid is vulnerable to corruption as measuring bribe is not easy; thus, it is difficult for the media to report on how much has been lost. It is estimated that around US\$ 2.6 trillion is lost world-wide. This takes away important funds and affects humanitarian assistance as the money does not reach the intended people. Prof. Weeks also informed that bribes are present in local contracts and it is not easy to find projects with no bribe involved. The bribe normally covers 30- 40 per cent of the funds.

In concluding, Prof. Weeks emphasized that corruption is against humanitarian aid, and that not being able to measure corruption should not be an excuse not to quantify how much has been lost.

Adam FOLDES

As a member of TI-Hungary, he shared experiences and practices on how TI fights against corruption in Hungary. He informed that TI is a movement and all Chapters around the world cooperate with each other. Among the activities undertaken include *advocacy*, i.e. they advocate to have better laws which do not favor corruption. *Monitoring* is also another activity by which TI follows how national policies are implemented, for instance, party financing and where the parties get the resources from. *Education* is provided to the police, judges, civil servants, students and other variety of stakeholders in the society. The TI also participates actively in the 9th December Awareness Raising Day against corruption every year. They work closely with advocacy and legal advice centers as well as researchers and academics.

Pavel NECHALA

Again, being from Slovakia, he shared some of the activities undertaken by TI Slovakia. He stated that advocacy by politicians is very important to enable them to change laws. They establish reports on corruption. Further, the anti-corruption movement has been used by politicians in campaigns to come into power, however, while in power, not much is being done. In conclusion, he said that in the future there is a plan to review state companies-all being struggles against corruption.

III.CONCLUSION

Mr. Vlassis said that corruption is everyone's problem. The struggle against corruption is constant and no country and no one are immune to corruption. It is important to share experiences by individual countries in their fight against corruption. Further, it is important to use the general features of the Convention to have tailor-made actions which can be taken so as to deal with these specific sectors. There is need for robust and vibrant institutions that are well equipped to deal with the problem. Mr. Kreutner said that it took human rights one hundred and fifty years to be accepted. The struggle against corruption is only 10-15 years old, thus he is optimistic that the struggle will reach a point of global acceptance.

Mr. Edelbacher appreciated the contribution from the panelists and ended the discussion at around 1130am.

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DATE SUBMITTED: 14TH JANUARY, 2012