



Meeting of the GOPAC Global Task Force
on the UN Convention against Corruption and Monitoring
Workshop

&

Regional Meeting of the Southeast Asian Parliamentarians
Against Corruption (SEAPAC)

September 30 – October 1, 2010
Hotel Sofitel Philippine Plaza
Pasay City, Philippines

POST-CONFERENCE REPORT



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**Meeting of the Global Organization of Parliamentarians Against
Corruption (GOPAC) Global Task Force on the
UN Convention Against Corruption (UNCAC)
and Monitoring Workshop
&
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Against Corruption (SEAPAC)**

September 30-October 1, 2010
Hotel Sofitel Philippine Plaza
Romblon Room, Pasay City, Philippines

HIGHLIGHTS OF THE MEETING

OPENING CEREMONIES

INTRODUCTORY REMARKS

Senator Juan Miguel Zubiri, Senate of the Philippines

Senator Zubiri stated that the Philippines is similarly plagued with the problem of corruption which afflicts many, if not all, nations of the world. He said that efforts to curb corruption often fail because of the failure of many governments to recognize its existence. Senator Zubiri further said that corruption perpetuates the disparity between the rich and the poor, undermines sincere government efforts in promoting economic stability and national security, and is a problem that breeds many other problems that affect many countries.

The Senator stressed the need for various governments to unite in order to effectively address corruption on a global scale and that they must assess their respective systems and bureaucracies in order to determine where corruption is most prevalent. According to him, GOPAC, together with its regional chapter, SEAPAC, is an acknowledgement of the existence of corruption, which should be the concern of all. He then expressed his full support to the aims and advocacies of the conference.

OPENING REMARKS

Dr. Naser Al-Sane, Chairman, GOPAC

Dr. Al-Sane described corruption as a “monster terrorizing many countries and eliciting strong feelings from people everywhere.” Stressing the need to be properly

equipped to face this monster, he said that GOPAC, a network of 1,000 member-parliamentarians, enjoys the support of 100,000 other active parliamentarians.

After giving a brief backgrounder about the organization, the Chairman explained that campaigns are conducted, through GOPAC and its GTFs (Global Task Forces), to fight poverty, resolve health problems, create jobs, and improve education situations. He stressed that corruption takes money away from improving the lives of many to fill up the pockets of a very few corrupt individuals. Fighting corruption, then, is ensuring a better life for more people in the world. .

Dr. Al-Sane pointed out that GOPAC fights corruption through three pillars:

- Training. Through workshops and conferences, parliamentarians are trained on how to properly fight corruption, which Dr. Al-Sane terms as an “organized crime.”
- Peer Support. GOPAC supports its members all over the world in their fight against corruption. Because GOPAC members have faced—and continue to face—persecution, assassination attempts and many other hazards as a result of their anti-corruption crusade, peer support is very vital in inspiring them to continue their fight.
- Leadership. GOPAC members, as a matter of duty, lead in the fight against corruption in their respective countries. They must actively join the crusade and even initiate undertakings against this monster.

Dr. Al-Sane lauded the efforts of Senator Angara in advancing the cause of the fight against corruption in the ASEAN region.

He stressed that GOPAC undertakes two different functions: 1) GOPAC works through the Global Task Force of the UNCAC working group. GOPAC works through GTFs. 2) The second is the work of UNCAC on ethics and conduct. A number of MPs are working on the issue of ethics and conduct, and will be coming out with a handbook on the matter. GOPAC also has a GTF on anti-money laundering. Stressing that money laundering is an area where corruption has had a lot of success, Dr. Al-Sane said the GTF on oversight will teach MPs on how to understand the budget process, how to exercise control and oversight and how to figure out the leaks of corruption.

Another GTF is on participation of society, which aims to encourage the MPs to work within society, women and youth and media.

Noting that the Philippines is among the first to ratify the convention in the region, Dr. Al-Sane said that UNCAC is a most powerful tool against corruption and is accepted throughout the world. According to him, when used properly, UNCAC will go a long way in fighting corruption.

Other points raised by Dr. Al-Sane:

- Ratification of the UNCAC by a country means that it is willing to fight corruption and undertake the necessary steps needed to ensure success of said undertaking. It is also

willing to report (a) whether it has established a national strategy to combat corruption; (b) what anti-corruption legislations have been enacted; (c) the extent of independence of the judiciary; and (d) whether the country has a law on right of information in order to ensure transparency.

- Fifty percent of countries that have approved UNCAC have not done anything in order to implement its provisions; they just approved it for political reasons.
- GOPAC has a GTF organized to give muscle to MPs in their fight against corruption.
- GOPAC will be coming out with a monitoring report.
- The next biennial meeting of GOPAC will be held in Mexico next year.

Dr. Al Sane announced that the other event of the day is the meeting of one of the first chapters of GOPAC, namely, SEAPAC, a chapter in a vibrant region that has put itself on the world map because it is economically strong and forward thinking.

In conclusion, the Chairman of GOPAC stressed the organization's resolve to fight the monster of corruption no matter how strong it is.

WELCOME REMARKS AND INTRODUCTION OF THE KEYNOTE SPEAKER **Senator Edgardo J. Angara, SEAPAC Chairman**

Senator Angara said that corruption is taking away and redirecting very valuable resources that would otherwise be put into precious social services to achieve the Millennium Development Goals of addressing universal poverty, education, maternal health, sanitation and lack of plain potable drinking water.

Quoting Dr. Naser J. Al-Sane, the Senator said that the fight against corruption is a continuing struggle, and that everyone should always be vigilant because it will rear its ugly head at any instance. He stressed that each nation must develop its own strategy, unique to its own socio-political and cultural setting, and that the Philippines has probably one of the best set of anti-corruption laws, a product of an academic study of his own alma mater, the University of the Philippines. But despite these laws, he said, the recurrent question keeps popping up: "If we have such wonderful and good laws, how come we are not less corrupt than the others?"

The Senator declared that SEAPAC wants to strengthen political institutions and, above all, political parties. A weakening of political parties, he said, has been the "unfortunate, bad luck" of the Philippines, a country which in the past had a very good, vibrant and thriving party system but, after so many epochal events such as the imposition of martial law, saw the collapse of the very same party system and its replacement by personalistic, non-pragmatic political parties that provide no direction, that recruit no better leaders for the country.

Senator Angara decried this lack of a strong political party system in the Philippines as the root cause of much of its corruption problems. Corruption transcends boundaries as well as cultures. That is why, he said, it requires linking-up, cross-country cooperation;

It would be idiotic even for parliamentarians to deal with corruption alone and that even within a country, one must deal with it “jointly and cooperatively with the other states.”

KEYNOTE ADDRESS

The Honorable Leila M. de Lima, Secretary of Justice, Republic of the Philippines

The salient points of Justice Secretary De Lima keynote address were as follows:

- With the Philippines’ experiences of corruption-related woes throughout its history, it is fitting for a Filipino legislator like Senator Edgardo Angara to spearhead the activities of the Southeast Asian chapter of the GOPAC. In the past three decades, Filipinos have been endeavoring to shed the shroud of infamy that a corrupt dictatorship once forced upon them. Unfortunately, decades-old issues remain unresolved; as of the present date, suits and actions to recover the ill-gotten wealth amassed by corrupt officials are still pending before courts in the Philippines and abroad, with no foreseeable closure in sight.
- SEAPAC members are to be lauded for refusing to turn a blind eye to the suffering and lost opportunities—the ultimate wages of corruption.

Despite the assertion of other officials that the status quo is predominantly clean, that episodes of graft are merely isolated incidents, and that there is nothing wrong with continuing with business as usual, SEAPAC has advocated for transparency over opacity and has worked to ensure that all segments of society have significant and meaningful roles to play in this corrective process. “We, who know firsthand the ravages caused by greed that has gone unchecked and unpunished, know very well how critical your work is,” de Lima told the SEAPAC delegates.

- The new administration of President Benigno C. Aquino, Jr. has been hard at work to regain the seemingly dwindling faith of the Filipinos in the sincerity of this administration. Barely three months into its term, the Aquino administration is being subjected to one of the strictest scrutiny on the issue of jueteng and other forms of illegal gambling. Lists of names have been revealed, linking certain high-ranking officials closely connected to the new administration, on top of those implicated in the past—from the pinnacle of the government apparatus to the very grassroots of Philippine society.
- Examples set by the President and other government leaders matter. (In his recent trip to New York, President Aquino ate at simple restaurants and had snacks at hotdog stands with his aides, in stark contrast with the vulgar excesses and astronomical meal tabs of previous government trips.) Where they decry corruption and move to genuinely repudiate it, the people, and especially honest government employees will see this. Everything is connected, and the people will begin to hold all government workers against a higher standard. Hence, confidence in mechanisms for reporting malfeasance will encourage more disclosure of information regarding corruption, in contrast to the past, where aggrieved parties simply resigned themselves to their

unjust fate. Government employees who act with integrity will see their leaders as allies, instead of oppressors, and the impetus for change at every level of the administration will grow.

- To some, however, the movement towards truth, justice and accountability comes a “little too late”, prompting them to take the law into their own hands and stage their own act of rebellion, as in the case of the hostage-taking incident on August 23 by a policeman once honored as one of Manila’s outstanding policemen.
- In the fight against corruption, the entire society must be involved, from the government to civil society, from the academe to media, and to the public at large. No aspect of society remains untouched by the insidious effects of this evil. Hence, society must form part of the effort to end it. Nothing else will suffice. At the Department of Justice (which Secretary De Lima heads) a Code of Conduct governs the Prosecution Service; public access to the offices of prosecutors is limited in order to track incoming visitors who have legitimate dealings with prosecutors, and bar those who have no business entering the DOJ premises. This is also being done to make it more difficult for persons to threaten or bribe their officers, she said.
- A country cannot elect anti-corruption champions if the electoral process is administered by corrupt officials. The integrity of elections and the subsequent government actions cannot truly be scrutinized without a robust media establishment and a vocal and vigorous civil society.
- We must never underestimate the enemy; evil and corrupt as they are, it does not mean they are ignorant and incompetent. Even the devil can quote for his benefit the Constitution and statutes. For a nation suffering from rampant graft and corruption, the greatest betrayal comes from public officials and private individuals who misuse their talent, intellect and even legal know-how to reinforce and nurture a culture of impunity.
- The Philippines is on the verge of a constitutional crisis, with the Supreme Court and the House of Representatives facing against each other over the issue against Ombudsman Merceditas Gutierrez from allegations of malfeasance committed “allegedly and ironically by the very government official who was entrusted with the responsibility of investigating and prosecuting abusive government officials.”
- Countries and governments and people, in their histories, are presented with opportune moments. These opportunities pass, so it is vital that when these things present themselves, something is done to consolidate any gains made. The ratification of the U.N. Convention Against Corruption and the passage of the Government Procurement Reform Law sponsored by Senator Angara are examples of the lasting changes that government leaders will leave, the frameworks which will subsist even after parliamentarians and leaders step away from the public arena.

Session I
UNCAC AND ANTI-CORRUPTION

PRESENTATION I: The World Bank Institute and UNCAC in South Asia
Niall Johnston, Asia Regional Coordinator,
Parliamentary Strengthening Program
World Bank Institute

Highlights:

Capacity Building

- Promoting social accountability

The Affiliated Networks for Social Accountability (ANSA) are an initiative to promote, strengthen and sustain social accountability knowledge and practice globally.

Social accountability refers to the ways and means through which citizens can hold public institutions accountable in terms of delivering public services, improving people's welfare and protecting people's rights and entitlements.

- Building links between legislatures and Civil Society Organizations (CSOs)
- Supporting legislatures and Member Parliamentarians (MPs)

Supporting legislatures and MPs

- Overseeing the budget cycle
- Scrutinizing legislation
- Access to Information (ATI)
- Public procurement
- Examining legislative and policy impact
- Promoting public hearings

A Bangladesh Case Study

- Bangladesh acceded to the UNCAC in February 2007
- January 2008: Presentation of the Compliance and Gap Analysis at the 2nd COSP in Bali, Indonesia, by GoB
- Structure

<i>UNCAC Provisions</i>	<i>Domestic Legal/Regulatory Regime</i>	<i>Compatibility between UNCAC and Domestic Law Regime</i>	<i>Compliance and Gap between Law and Practice</i>	<i>Remarks</i>

Findings (extract)

- Almost full compliance with regard to legal framework
- Criminalization and Law Enforcement: Improve witness protection

- International Cooperation: Update Extradition Act, 1974, prevention of money laundering

<i>UNCAC Provision</i>	<i>Compatibility between UNCAC and Domestic Regime</i>	<i>Compliance and Gap between Law and Practice</i>
<p>Art. 8.1. & 8.2: States parties are required to promote integrity, honesty and responsibility among public officials; States Parties are obligated to formulate codes of standards of conduct for the correct, honorable and proper performance of public functions</p>	<p>Articles 5 to 33 of the Government Servants (conduct) Rules, 1979 provide guidelines for the behavior and conduct of public officials in the civil service on issues like acceptance of award and gifts, public demonstration of honor to the Government, raising of funds on behalf of the Government, disclosure of assets and speculation of investment, lending, borrowing, buying or selling valuable properties, private trade and employment; Contraventions of the Conduct Rules are dealt with by the provision of the Government Servants (Discipline and Appeal) rules, 1985, which makes violations liable to inquiry and punishment, if proved; The Rules of Business, 1996 regulate government transaction of business and the allocation of functions among the different ministries/division.</p>	<p>The GoB has substantially complied with the UNCAC by establishing a comprehensive code of conduct which promotes honesty and integrity in its public officials. A parliamentary code of conduct is required.</p>
<p>Art. 8.4: States Parties are required to establish measures and systems that facilitate the reporting by public officials of acts of corruption to appropriate authorities.</p>	<p>There is no direct legal provision regarding the protection of public officials in reporting act of corruption of other public officials. There is no legal arrangement for protection of witnesses, experts, victims and their relatives or other persons close to them.</p>	<p>Recommendation: Need for Whistle-Blowers Protection</p>

Follow-up Activities

- Support to nascent GOPAC Chapter
- Support for reviews of legislation

- Support for consideration of international treaties, e.g., Mutual Legal Assistance Agreements with Nepal and Malaysia
- Oversight of designation of focal points in ministries
- Oversight of implementation of the National Integrity Strategy
- Training for parliamentary staff

PRESENTATION 2: UNDP's Work on Anti-Corruption
Renaud Meyer, Country Director Philippines
United Nations Development Program
World Bank Institute

Highlights:

SEAPAC/GOPAC have been important partners in addressing anti-corruption issues in the Philippines and helped pave the way for the ratification of the United Nations Convention Against Corruption (UNCAC) in the Philippines in 2006.

2015 Millennium Development Goals (MDGs) - These represent the most important collective promise ever made to the world's most vulnerable people.

- Countries have committed to seek to—
 - eradicate extreme poverty and hunger
 - achieve universal primary education
 - promote gender equality
 - reduce child mortality
 - improve maternal health
 - combat HIV/AIDS, malaria and other diseases
 - ensure environmental sustainability
 - promote global partnership for development
- UN Secretary General's report summarized the mixed picture on MDG performance, as follows:
 - progress on poverty reduction has been uneven and now threatened
 - hunger is increasing and remains an important global challenge
 - full and decent employment for all remains unfulfilled
 - there has been good progress on universal primary education but the goal remains unmet
 - there has been insufficient progress on gender equality
 - while there has been significant progress on health-related MDGs, there has been least progress in reducing maternal mortality
 - limited progress to date on environmental sustainability
- The Philippine's performance on MDGs is generally low
 - Poverty incidence has risen from 30% in 2003 to 33% in 2006 as population increased from 80M to 86M
 - 5.2M Filipino school-age children are not in school

- 53% of these school-age children are enrolled in grade 1; the majority usually drop out of school after reaching grade 1
 - 54% of pregnancies (1.9M women) are unplanned
 - Lack of access to reproductive health services causes 11 mothers to die every day
 - High incidence of HIV cases
- Accelerating progress to attain the MDGs requires increased resources
 - Corruption hurts any country's chances in achieving its commitment to meet the MDGs by 2015

What to do to fight corruption in order to meet the MDG

- The UNCAC, to remain effective, needs to be implemented into strong national laws and translated into national policies, action programs and practices.
- President Aquino stressed good governance and anti-corruption as central pillars of the country's effort to eradicate poverty during the MDG summit in New York. This signals that his administration is committed in promoting greater transparency and integrity in government.

UNDP acknowledges the critical role that GOPAC/SEAPAC play

- in identifying areas in which to strengthen performance with regard to the prevention of corruption by encouraging parliamentarians to play an active role in the design, implementation and monitoring of anti-corruption strategies, laws or action plans in their respective countries.

UNDP's Work: Promoting Integrity in Governance

- focus is to provide an ideal platform for an integrated and holistic approach in combating corruption.
- sustained and vigorous effort is needed to promote such understanding and to mobilize public pressure for far-reaching reform in governance at all levels.
- Since 2002, UNDP in the Philippines has supported initiatives that promote ethical standards, transparency, accountability and integrity in government services, transactions and operations.
- UNDP's Integrity Programme is directed towards a rationalized, efficient and effective government bureaucracy, effective use of ODA, corrupt-free practices and ethical behaviour at all levels. It strengthens the capacity of oversight government bodies.

UNDP will continue to sustain their gains and will provide assistance, as an active partner, to anti-corruption initiatives.

PRESENTATION 3: Working with Civil Society in Asia to Combat Corruption
Jesus P. Estanislao, Ph.D., University of Asia and the Pacific

Highlights:

- Two Sides of Same Coin: Combat Corruption/Promote Good Governance
- Key Facets of Good Governance:
 1. Starts from the Top
 2. Demands strategy formulation and performance scorecard
 3. Requires involvement of stakeholders (civil society)
- Good governance (GG) starts from the top
 - Board sets the vision
 - Board selects strategic priorities Corporate Governance
 - Board draws up a road map
- GG monitors through performance scorecard
 - Each strategic priority in the Road Map
 - Initiatives (I)
 - Measures of Performance (M)
 - Targets (T): specific and pre-agreed upon by Congress/Parliament and Executive
 - Reporting to the public every 6 months - Congress/Parliament demands reports which is disclosure of actual performance
- GG requires involvement of stakeholders
 - Performance Scorecard is cascaded down through divisions, departments, and business units within
 - Cascading extends to major stakeholders (business, civil society)
 - Stakeholders make commitments on what they will do as their contribution to good governance
 - Participate in the bids and awards
 - Their involvement can be a defense against intrusions coming from parties that may lead to corruptions
- GG: From Corporate to Government Units
 - From the Top

CEO	<i>Prime Minister/ President</i>
Board of Directors	<i>Parliament</i>
 - Performance Scorecard

I, M, T	<i>Parliamentary Oversight responsible towards the delivery of results</i>
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 - Public Reporting

Public Reporting	<i>Every 6 months</i>
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- GG: From Corporate to Government Units
 - Stakeholder Involvement
 - Multi-sector Coalition *Objective Monitoring*
 - Business *Transparency*
 - Civil Society *Accountability*
- Participatory Democracy - The need to involve people in governance

PLENARY DISCUSSION

The following confrères expressed their opinions, concerns, observations and suggestions during the Plenary Discussion following the Presentations :

Former Speaker Jose De Venecia, House of Representatives, Philippines

- With the problem of corruption reaching “epidemic” proportions, there is a need to develop, strengthen, and modernize political parties.
- Corruption is connected to the frequency of election exercise and the cost of getting elected.
- Gambling lords and drug lords contribute funds to politicians who lack funds to run for election.
- The State should provide subsidy for political parties to reduce or avoid political corruption. In this regard, SEAPAC could perhaps craft a law for Asia where the State could subsidize political parties to reduce or avoid political corruption.
- A good 20 percent of the Philippine national budget goes to corruption.
- Men of integrity are stained by corruption just to ensure the survival of their political parties in the election.
- There is a need for a partnership between the private and public sectors—where stakeholders include the executive and legislative branches of government, the civil society organizations and the business community—in the drive against corruption in order to spur economic development and advance advocacies.
- The conferees were invited to attend a forum—“How to Fight Corruption, and How to Fight Poverty”—to be held December on 1-4, 2010, in Cambodia.

Shiek Abu Bakr, Bangladesh

- Laws rules and regulation are adequate in every country, but there is short commitment among political parties in a drive against corruption.
- SEAPAC plays a vital role in the implementation of said laws; civil-society organizations and the media also play major roles.
- Corruption in the business sector can be controlled if CEOs are tough or rigid in the execution of laws and relevant policies.

Rachel Shebesh, Member of the National Assembly, Kenya

- There was no mention made with regard to how women leaders—who have not the tendency to be corrupted as high as the men— and the young ones—who bring change—could do their part in the drive against corruption
- Natural disasters and the issues on climate change lend themselves as tempting opportunities for corruption within governments.
- Elected officials should exercise good governance, instead of displaying arrogance against those not belonging to their class or clan and taking advantage of the mandate given to them by the people.

Prof. Muhammad Ali Ashraf, Member of Parliament, Bangladesh

- Corruption could be eradicated when addressed globally by all the stakeholders such as the parliamentarians (lawmakers) and policy makers. Giving full commitment to said goal will make this millennium a corrupt-free global society.

Dato Kamarun bin Jaffar, *Member, House of Representatives, Malaysia*

- Contrary to the claim of former speaker De Venecia, the board of directors in a corporation are different from members of Parliament of a country, as governments have become so complicated.
- The view of former speaker De Venecia regarding public funding of political parties deserves support, but parliaments in many parts of the world will not agree to support said proposal.

Dr. Jesus Estanislao, *University of Asia and the Pacific, Philippines*

- In the Philippine setting, a cabinet member is not as independent from the Prime Minister or President as a senator or a congressman is. Considering that cabinet members can be removed anytime by the Prime Minister or the President for lack of confidence—a conditionality that does not apply to senators or congressmen—the principle of check and balance applies more to Congress

Rep. Juan Edgardo M. Angara, *Member, House of Representatives, Philippines*

- In the Philippines, two measures—the Freedom of Information Act and government funding of political parties—have been pushed to address corruption. Although the media played a powerful role in pushing for the passage of the Freedom of Information Act, Congress was not able to ratify the bill, allegedly because of “unseen hands” from some quarters. Conversely, the bill providing for government funding for political parties met resistance from the media, which argued that said measure would not abet corruption.

Renaud Meyer, *Country Director, Philippines UNDP*

- In relation to the gender issue, the Filipino women possess a remarkable capacity for managing the dollar remittances of Filipino overseas contract workers (estimated at about 10 million people) who send their income back home, to be spent for education, health and other needs of the family members.
- The campaign to rid the country of corruption was also stressed by Pres. Benigno Aquino III during the election campaign.
- For funds intended for disaster incidents, the UN has an oversight mechanism that tracks the recipients, the projects made, and expenses incurred.
- The typhoon Ondoy that ravaged the Philippines raised so many questions, considering that so much money was spent but no meaningful change was seen.

Niall Johnston, *Asia Regional Coordinator, World Bank Institute, Parliamentary Strengthening Program*

- The massive grant of assistance to Bangladesh to fight climate change was identified by Bangladesh Congress as possible area of corruption.
- WBI, together with the Canadian SEAPAC, worked closely with women’s group for advancing the cause of women.

- Access to information is of vital importance, as shown by the Ugandan experience where information from individuals at the local level are fed to parliamentarians who in turn take appropriate steps or actions to address corruption.

Rep. Nelson Collantes, *Member, House of Representatives, Philippines*

- Accountability is an essential element in the fight against corruption, and the principle of check and balance must be observed by Congress during the budget deliberation of concerned agencies.
- Report to the parliamentarians should be made on a regular basis to ascertain the expenses incurred for the projects made.

Dr. Naser J. Al-Sane, *Chair, Global Organization of Parliamentarians Against Corruption*

- The Chair ended the plenary discussions with two stories related to corruption: one, an elected official was able to construct a big, beautiful house because of a share sliced from the budget for the construction of a bridge (the picture of which he showed to his doubting guest); and two, an elected official was able to construct a big, beautiful house by appropriating for himself the entire budget for the construction of a bridge (the picture of which he pretended to show to the doubting guest, but there was really nothing to see because the bridge became the house).

Session II
TOOLKIT SUMMARIES AND COUNTRY REPORTS

GOPAC executive secretary Martin Ulrich presented a brief background on the history of the GOPAC and the UNCAC.

GOPAC Global Report on the Road to Mexico City

Mr. Ulrich underscored the importance of seeing how the country reports presented during the GOPAC will be used in the global level. He said that aside from following up on commitments made by member-countries in the fight against corruption, it was also vital that members identify anti-corruption activities and effectively implement them.

He pointed out that the last GOPAC conference in Kuwait was very significant as it was there that the GOPAC set policy positions on its stand against corruption. He noted that it was only after the Kuwait conference that the close link between the GOPAC policy and the UNCAC was established, and GOPAC's agenda became supportive of the UNCAC.

Mr. Ulrich explained that the Mexico conference in 2011 will identify the extent to which the policy positions formed during the Kuwait conference are applicable to each GOPAC member, and if these are considered feasible for "domestication," such policies, while global in application, could also be tailored to the specific needs each member-country. He said that the Road to Mexico would be the first time that the GOPAC would identify the strengths and weaknesses related to these policy positions and identify corrective actions.

He said that the policy positions for parliamentarians that are presented in the UNCAC include :

- Involvement in UNCAC domestication;
- Parliamentarians' role in the UNCAC compliance report;
- Receive timely info on expenditure and revenues;
- Transparent accountability for public resource revenues;
- Carrying out democratic roles to prevent corruption to meet public expectations;
- Parliamentary immunity ought not to be used as a means for parliamentary impunity;
- Engaging citizens, civil society, business and others in preventing corruption; and
- Enactment of the anti-money laundering law which ought to be overseen by parliament.

Mr. Ulrich underscored the importance of the country reports in the upcoming conference in Mexico since the GOPAC global report will include a summary of the country data for each member—each one's strengths and weaknesses insofar as its capacity to implement its anti-corruption policies are concerned—and the proposed corrective actions. The report will also provide the Global Task Force with summaries of assessments and proposed actions based on these country reports. He hoped that the Mexico meeting will allow the GOPAC members to go forward based on these proposed actions or do further investigation on the same.

COUNTRY REPORTS

PHILIPPINES

Senator Loren Legarda presented the Philippine situationer on corruption, citing five key points that ought to be considered insofar as the problem of corruption is concerned:

1. Public Perception

Senator Legarda stressed the importance of public perception in combating corruption as she pointed out that the principles of accountability, transparency, honesty and integrity in public service as enshrined in the Philippine Constitution mean nothing if the public perceives that government officials are not true to such values. She shared the results of some surveys on the perceived prevalence of corruption in the Philippines, to wit:

- The Global Corruption Barometer of Transparency International in 2009 reveals that 77% of the Philippine population (the second highest in the Asia Pacific region) believe that government efforts to curb corruption are ineffective;
- The 2009 Corruption Perceptions Index ranked the Philippines 139th among 180 countries—an improvement of five notches from rank 141 in 2008;
- The Social Weather Stations' (SWS) Surveys of Enterprises on Corruption of December 2009 revealed that 48% of business managers perceive that bribery helps win public sector contracts;
- Fifty-six percent (56%) of the general public perceive “a lot of corruption in the public sector, and 64% among managers.”

Senator Legarda also underscored the tremendous financial cost of corruption to a developing country like the Philippines. For instance, she cited the World Bank estimates that as much as US\$ 4 billion is annually lost to public sector corruption, an amount which could fund 234,666 classrooms, 326,052 hospital respirators or a whole year's worth of meals for more than 2.8 million families.

2. Legal Framework for Battling Corruption

Senator Legarda explained that the country's anti-corruption programs are rooted in at least nine laws which are intended to reduce opportunities for corruption through policy and regulatory reforms: The Anti-Graft and Corrupt Practices Act (RA 3019); the Administrative Code of 1987 (EO 292); The Code of Conduct and Ethical Standards for Public Officials and Employees (RA 6713), The Ombudsman Act (RA 6770), The Law Expanding the Jurisdiction of the Sandiganbayan (RA 8249); Crimes Committed by Public Officers, Revised Penal Code (RA 3815), The Plunder Law (RA 7080); The Anti-Money Laundering Act (RA 916); and The Government Procurement Reform Act (RA 8194).

3. Institutional Mechanisms for Battling Corruption

Senator Legarda noted that corruption is not addressed only by laws but by the way these laws are enforced by:

- Government Institutions – These include the Office of the Ombudsman, Civil Service Commission, Commission on Audit, and the Sandiganbayan which tries graft and corruption cases against high-level officials, along with presidential bodies and task forces

which have the sole duty to monitor, investigate and submit recommendations against corrupt members of the public service.

- Citizen, Private Sector and Media Oversight – The Philippine media plays an active role in serving as a strong, independent force to serve as a watchdog of government, while the private sector also serves as a good feedback mechanism for those in public office.

4. Anti-Corruption Milestones

Senator Legarda reported the following milestones in the government's fight against corruption:

- 73.42% conviction rate by the Sandiganbayan in 2008;
 - The adoption of the Integrity Development Action Plan which serves as the national anti-corruption framework of the Executive Branch which assesses 207 government agencies using an Anti-Corruption Scorecard;
 - The "Strengthening the Integrity of the Judiciary" project launched by the Supreme Court which aims to improve the level of public confidence in the courts;
 - The Senate's Committee on Accountability of Public Officers and Investigations (Blue Ribbon Committee) which has the power of oversight over the entire government and primarily aims to investigate allegations of corruption in various agencies of government.
- Senator Legarda pointed out that the 14th Congress' investigation into the allegedly overpriced government contract for a National Broadband Network eventually led to resignations by high-ranking officials and the cancellation of the government deal. She also informed the participants of Senate Bill No. 1343 that she filed, which aims to extend the prescriptive period for filing graft cases to 30 years from the original 15 years.

5. Anti-Corruption Challenges

Senator Legarda stated that the fight against corruption can be fought effectively by:

- Further increasing public oversight over government programs;
- Enhancing private sector support to anti-corruption measures;
- Promoting meritocracy in government;
- Reforming financial and budgeting processes;
- Enforcing anti-corruption laws and meting out penalties; and
- Pursuing judicial reforms.

She said that parliamentarians can promote capacity-building initiatives against corruption through a continuing program of best practice sharing which will allow countries to share how they have addressed corruption in their areas. She also underscored the need to promote continuing dialogue not just among the GOPAC members but even between and among governments. She said that this would promote information exchanges and develop a shared agenda against corruption in the region.

Moreover, Senator Legarda said that the vulnerabilities that are caused by climate change and which affect the poorest of the population of each country in the region are brought about by corruption. These are driven by:

- poor urban governance due to non-implementation of laws;
- vulnerabilities of enterprises in the rural areas due to lack of resources; and

- the decline in the ecosystem due to abuses of environmental laws and non-implementation of existing laws.

Senator Legarda concluded her report by pointing out that corruption eats up the very fabric of society as it denies people of resources for development and undermines governments' capacity to serve its people.

INDONESIA

Dr. Benny Harman presented a summary report on how Indonesia is fighting corruption based on the UNCAC toolkit :

In General

- The Parliament has ratified the UNCAC ;
- It has developed an anti-corruption monitoring system wherein government provides periodic reports to Parliament regarding its implementation of measures to curb corruption;
- The Parliament has also cooperated with organizations like the UNDP in the fight against corruption.

On Financial Oversight

- Parliament has authority to approve all revenues and expenditures of government;
- The government has put in place a system of accountability through an independent audit institution which reports to Parliament;
- Indonesia also has a law relating to public service concerning Public Information Transparency.

On Parliamentary Ethics, Conduct and Immunity

- The Parliament has set up an Ethics Code of Conduct;
- The Parliament has a special body tasked to investigate members in accordance with such rules.
- While Members of Parliament (MPs) are covered by parliamentary immunity, any member which is involved in a criminal act, due process of criminal law shall apply and the immunity of the MP is waived;

On Participation of Society

- Parliament plays a role in informing the public about the UNCAC, corruption laws and legal enforcement in case of corruption;
- MPs regularly meet with their constituents to get their feedback on various issues;
- The people not only have access to means for redress but also have the right to information as stipulated under the law concerning Public Information Transparency (Law No. 14 of 2008).

On Money Laundering and Recovery of Assets

- Indonesia has enacted an anti-money-laundering law in 2002; and

- Parliament monitors the operations of the government's financial intelligence unit (FIU) which collects, analyzes and disseminates information regarding potential money laundering.

MALAYSIA

Representative Dato Kamarudin bin Jaffar reported that a welcome development in their government's fight against corruption was the filing of corruption charges against a former Transport Minister involved in an anomalous US\$4 billion (12 billion Malaysian ringgit) infrastructure project in Kuala Lumpur.

Laws enacted by their Parliament focused on anti-corruption include, among others, the Prevention of Corruption Act of 1981; the Anti-Corruption Act of 1982; the National Integrity Plan of 2004; and the Anti-Money Laundering Act.

In 2009, the Malaysian Anti-Corruption Act was also passed, which provides for a Special Committee on Corruption composed of seven members from the Senate and the House of Representatives who are all appointed by the King. It is a body that reviews reports on alleged corruption. While this law looked good in paper, the problem is the voluminous reports that they review without a focused agenda.

Other issues that confront their anti-corruption program are the independence of the Judiciary and the independence of the Attorney General.

MALI

Mr. Amadou Bouare, Member, National Assembly of Mali, reported that Members of their National Assembly actively participate in the African Parliamentarians Network Against Corruption or APNAC, an organization which mandates them to pass legislation that help increase governance capacity of Members of Parliament in Africa, provide tools against corruption, and educate the public or promote their awareness in good governance and the fight against corruption.

He said that one of the many activities that they are undertaking is a comprehensive study of political corruption and how to reform Mali's electoral system or election laws. This was made possible through a US\$50,000 grant from UNDP-New York. They are also currently negotiating for a World Bank funding to study transparency and public accountability.

TIMOR-LESTE

Madame Cipriana de Costa Pereira, Member of Parliament, reported the following achievements in the last three years in their anti-corruption program:

- Establishment of the Anti-Corruption Commission on March 22, 2010, which is mandated to identify and promote measures that would prevent corrupt practices;
- Creation of the Civil Service Commission which is mandated to draw and implement a strict code of conduct to support an independent and professional civil service culture in their country; and

- Full access of the Inspector General to all Ministry of Finance records.

Among the strategies that they employed to combat corruption is the establishment of the following anti-corruption bodies:

- Office of General Prosecutor
- Ombudsman for Justice and Human Rights
- Anti-Corruption Commission
- Office of Inspector General reporting to the Prime Minister
- Civil Service Commission

Their National Parliament had also established a sub-committee on anti-corruption within the Parliament's Committee on Economy, Finance and Anti-Corruption; ratified in November 8, 2008 the UN Convention on Anti-Corruption (UNCAC); and approved the Anti-Corruption Commission Law in 2009 and created the ACC office on March 2010.

Still, MP Pereira enumerated the following challenges and obstacles they are facing:

- Lack of institutional capacity, human resources and supporting legal framework;
- Noninvolvement of the Parliament in the direct implementation of the UNCAC;
- Lack of capacity to review government reports on budget implementation;
- Absence of legislation or policy instrument to guide the Executive branch on the wise use of resources; and
- Lack of an independent audit authorities, such as the High Administration Tax and Audit Court (HATAC) present in other countries like Portugal, Brazil and Indonesia, that report information to Parliament.

She asked the support of GOPAC and other international agencies so that Timor-Leste's Parliament can take the lead in detection of corruption, investigation and prosecution of corruption and the prevention of corruption.

BANGLADESH

MP Shiek Abu Bkr, Member of Parliament, reported that their Parliament has passed the Anti-Money Laundering Law and the Anti-Corruption Commission Law. Reconstitution of the Public Service Office, the Public Regulatory Commission and the Anti-Corruption Commission is also part of the reforms being undertaken to increase public awareness on corruption issues. Training of staff in all public services is being conducted and reforms in the funding of political parties have been initiated.

Moreover, he said that the crafting of a National Integrity Plan is ongoing, oversight of public financial institutions is being undertaken, and audit rules on government finances are in place. In Parliament, there are now standing Committees on Public Acts and on Government Enterprises.

PLENARY DISCUSSION

- Rachel Shebesh, Member of the National Assembly of Kenya, announced that their country has recently held a referendum on their Constitution and legislation is needed to

implement provisions of their charter, particularly the chapters on Leadership and Governance. Reforms in the Judiciary are also called for.

- Senator Loren Legarda of the Philippines emphasized that best-practices sharing among the members of the GOPAC can contribute to the success of the anti-corruption programs of other countries. She cited, for instance, that the Ombudsman Law of the Philippines can be a template for Timor-Leste. On the other hand, the Philippines can learn from the successful implementation of anti-corruption measures of other countries.
- Hou Sry, Member of the Cambodian National Assembly, reported that they have successfully implemented their Anti-Corruption Law and have introduced reforms in their Penal Code and Civil Code.
- Prof. Muhammad Ali Ashraf, Member of Parliament of Bangladesh, suggested that SEAPAC be organized into an Asian Parliaments Against Corruption in order to become more inclusive and to have a broader perspective.
- Naser Al-Sane, chairman of GOPAC, reported that in a conference he attended in Dacca where other Asian countries like Sri Lanka, India and Afghanistan were invited, an attempt was made to organize a regional Asia GOPAC. Unfortunately, nothing came out of the initiative.
- As to the remark that GOPAC is doing very little in terms of media campaign, Senator Legarda of the Philippines suggested that “quantifying the losses” due to corruption may contribute to public awareness on the evils of corruption.

Session III
**SUPPORT MECHANISMS
 FOR ANTI-CORRUPTION INITIATIVES**

PRESENTATION I: Dr. Steven Rood
Philippine Country Representative, Asia Foundation

Dr. Rood explained that Asia Foundation, an international NGO organization based in San Francisco, strives for a peaceful, prosperous and open Asia-Pacific community: likewise, it collaborates with public (parliaments, executive offices, governments) and private partners toward mutually-shared objectives. According to him, the Foundation is a decentralized organization with 18 Country Offices with their own programs. The Foundation combines technical and financial assistance either as part of a larger program or in discrete response to partner request (like their support of Timor Leste project as part of GOPAC, SEAPAC 2005 and the present undertaking)

He then presented the various initiatives of the Foundation in relation to the concerns of GOPAC and SEAPAC.

Anti Corruption Undertakings:

Philippines:

- Partnership with Social Weather Station (SWS) in understanding and preparing an action program against corruption;
- Procurement Watch with the Department of Health. The project involved the monitoring of DOH expenses in relation to the implementation of the Procurement Law and has led to 15 to 35 percent savings.

Bangladesh:

- Late 1990s Transparency Initiatives surveys

Indonesia:

- 4th Corruption Perceptions Index (TI)
- Indonesia Corruption Watch (ICW) research on Corruption Eradication Commission

Dr. Rood likewise presented the various parliamentary support initiatives undertaken by the Foundation.

Parliamentary Support : Capacity

Indonesia:

- Parliamentary Library

- Revitalized the General Secretariat of the Indonesian National Parliament

Timor - Leste:

- Parliamentary Library
- Research and Technical Information Directorate

Philippines:

- Capacity-building in the House of Representatives Committee Secretariat
- Supplying materials to House and Senate Libraries

Parliamentary Support : Substantive

Indonesia:

- Reduced barriers to women's participation in parliament (2009) 17% up from 11%

Cambodia:

- Understanding role of Parliament in fostering economic reform in the context of decentralization
- Training parliamentary staff on Regulatory Impact Assessment

Bangladesh:

- MDGs in 26 constituencies assessed and role of MPs in accelerating progress

ROUNDTABLE DISCUSSION

In the ensuing open forum, Shiek Abu Bakr of Bangladesh noted that they virtually have nothing: very few MPs, who could become members of the Board of GOPAC, do not have the equipment and even the staff. In this regard, he asked Dr. Rood if he could get involved in trying to enable Bangladesh to have its own chapter of GOPAC.

Dr. Rood promised to raise the matter with the Asia Foundation Office head Russel Pepe in Dhaka.

PRESENTATION II: Chandra Kirana Prijosusilo

Asia Pacific Coordinator, Revenue Watch Institute (RWI)

Ms. Chandra Kirana Prijosusilo said that she would be sharing her group's experiences in providing support to stakeholders in Asia and the Pacific, specifically Indonesia and Timor Leste in promoting transparency in the extractive industries.

She explained that RWI is an independent nongovernmental organization based in New York and London with various regional offices throughout the world—its Asia Pacific office is in Jakarta but it also has an office in the Philippines. While the focus of its activities has been on Timor Leste and Indonesia, she added that they are also present in other countries

Ms. Prijosusilo said that parliamentarians in the region are increasingly becoming interested in understanding the economics, revenue flow and on how they could hold their government accountable for how it spend earnings from extractive industries. She added that if properly spent, earnings from the extractive sector could help lessen poverty and lead to sustainable development but if the reverse happens, it could be a deterrent to sustainable development.

According to her, some studies show the direct relationship between natural resources wealth, on the one hand, and armed conflict, corruption and enduring poverty, on the other, and usually, women and children are the ones greatly affected.

Ms. Prijosusilo reported that the majority of Asian countries belong to the lower level in the Human Development Index (life expectancy, education, income level and the like).

She noted that while the Philippines is one of the richest in terms of natural resources, extractive industries contribute only very minimally to the Gross Domestic Product. She said that incidentally, the Philippines has been rated one of the most corrupt. According to her, studies show that strong opposition from communities, environmental groups and other groups, consistent legal challenges, high risk of conflict and insecurity dampen investor confidence in the country.

On the other hand, she said that Indonesia, which has the most number of corruption cases, is the second largest producer of coal in the world mainly found in East Kalimantan. Many of these cases are related to extractive sector undertakings. Furthermore, tract of lands in the province suffer from environmental degradation as a result of destructive mining. A number of coal concessions in the country have been given without giving due diligence to social and environmental protection.

Ms. Prijosusilo stressed that said examples show that it is important to have environmental and social laws in place and the ability to enforce those laws before going into resource extraction industries as one of poverty alleviation strategies.

She added that oil and gas industries, because of their incomparable ability to generate trade, are particularly corruption-prone sectors as borne out by studies such as the one conducted by Price Waterhouse.

She then listed the core governance indicators that would make corruption as not inevitable even in extraction industries:

- Voice and accountability
- Political stability and absence of violence;
- Government effectiveness;
- Regulatory quality;

- Rule of Law; and
- Control of corruption

She stressed that even developing countries could curb corruption, citing and cited the case of Timor Leste that was able to control corruption in the oil sector mainly through transparency of project documents. She pointed out in her presentation the main lesson for resource rich countries:

“Countries need to develop both strong *core governance* criteria as well as *specific extractives sector governance* criteria to transform natural resource wealth into sustainable social and economic development; and *ensuring revenue transparency through the EITI*, is a practical and effective place to start in the *specific extractive sector governance*.”

Ms. Prijosusilo also shared the Nigerian experience which showed the importance of audit of oil and gas sector which has led to the discovery of underpayment worth millions of dollars. As a result, the Nigerian Parliament placed a fundamental clause in the Proposed Petroleum Industry Bill requiring compliance of all oil industry operations with the EITI in 2007.

Ms. Prijosusilo likewise showed the Role of Parliament in Good Governance:

- Good legislation;
- Strong oversight;
- Responsible voter registration; and
- Political leadership

She cited the US requirement “Publish What You Pay Law” and noted efforts to promote the use of International Accounting Standards to ensure greater transparency in transactions.

According to her, many requests for help to the RWI came from African countries. She explained that her institute can provide MPs and other oversight groups with technical opinions on oil, gas and mining documents; further, RWI has provided an EITI Guide for Parliamentarians and is developing a draft guide for MPs on oil and gas.

In conclusion, Ms. Kirana Prijosusilo stressed that the resource wealth challenge is possible to address. Parliamentarians can make a meaningful change as has been shown through the EITI process in Nigeria and East Timor; it can also be done internationally in Wall Street Regulations in the US and the International Standards of Accountancy. These, hopefully, can help control corruption and the performance of resource rich countries.

ROUNDTABLE DISCUSSION

MP Abu Bakr of Bangladesh noted that most operations of the RWI have been in Southeast Asian countries and requested that it be extended to the Bangladesh. Ms Kirana Prijosusilo promised to relay the request to her Main Office. She explained that the only

region where the RWI is not operating in South Asia where Bangladesh is located; however, RWI is already looking at possibilities in the area.

MP Benny Harman of Indonesia asked who will take the initiative of conducting an oversight of natural resources revenue. He noted that the anti-corruption law in Indonesia does not cover natural resources management; at times, the parliament cannot impose a limitation on political oversight *vis-à-vis* the action taken by police and prosecutors, this leads at times to parliamentarians delivering speeches in sessions for which they are on occasion accused of interfering with processes. He then asked on what are the limitations on political oversight.

Ms. Kirana Prijosusilo said that people are looking for political leadership and technical oversight but not political oversight—political leadership in promoting transparency. Likewise, people are looking for parliamentarians providing technical oversight in ensuring that revenues are indeed used for poverty alleviation and the public good. Thus, she noted the lack of expertise especially in resource-rich provinces in the country in monitoring that revenues are properly used. Relative thereto, she said that RWI is conducting workshops aimed at training parliamentarians on monitoring revenue flows.

PRESENTATION III: Constitutional Integrity Group
 Francisco Duque III
 Chairman, Civil Service Commission, Philippines

Mr. Duque presented the goals, performance and achievements of the Constitutional Integrity Group (CIG) which seeks to advance anti-corruption cooperation between agencies of government.

He reported that three constitutional bodies—Civil Service Commission, Commission on Audit and Commission on Elections —signed a Memorandum of Agreement on December 18, 2009 to pursue collaborative effort in the drive against corruption but at the same time recognized their respective mandates in attaining the highest standards of ethics, efficiency and excellence in public service.

The MOA focused on oversight functions regarding public accountability, integrity in government and the merit system in the civil service. It provides that:

- member agencies of the CIG recognize the country's commitment to the UNCAC; hence, the goal is the adoption of anti-corruption measures;
- the use of strength of the three agencies to develop and implement programs for good governance; engagement in projects and activities for institutional reforms;
- the speedy execution of measures against graft and corruption;
- enforcement of the full force of the law against erring public servants; and
- dissemination of information for all measures to address graft and corruption and to improve the delivery of service to people.

The continuing priority programs include fast resolution of high profile cases; filling of cases for unliquidated cash advances; campaign against fixers pursuant to Anti-Red Tape of 2007; thorough examination of the qualifications or expertise of persons for presidential appointments; and adoption of effective and efficient systems for risk management and internal control, including internal audit.

A resolution was also adopted to establish an IT-based confidential reporting system to enable the public to disclose corrupt activities and other anomalies.

The CSC' pursuit of excellence in public service and measured by :

- 1) anti-red tape programs where a report card survey is conducted;
- 2) establishment of Citizen Satisfaction Centers (Sea of Excellence);
- 3) institutionalization of performance governance system-balanced score card;
- 4) and, conduct of leaders forum on ethics and accountability.

Comments/Questions raised on the CSC presentation

Asked by Shiek Abu Bakr on issues of transparency and accountability in relation to the Civil Service Commission's delivery of service to the people and its relation with Congress, Mr. Duque explained that the CSC under the Philippine setting ought to be underscored as: 1) an independent commission which is not the under Executive branch of government and thus insulated from partisan political consideration); 2) empowered to implement laws on anti-corruption and on code of ethical standards for public officials and employees; and 3) cognizant of Executive Order 292 which provides the functions of a constitutional commission.

He said that the CSC is a quasi-judicial body with the power to adjudicate cases affecting the civil service system which cover government employees and officials not appointed by the President. It is a constitutional body accountable to the people; it submit its report on human resource development programs, including policy issues which needs amendments, to Congress.

Congress likewise exercises oversight function, over the CSC and evaluates its performance.

Asked by Dr. Benny Harman of Indonesia on the resistance or objectives against initiatives of the CIG, Mr. Duque admitted that Congress expert political pressure against the CSC, particularly during its budget deliberation. He described CSC as vulnerable to pressure, adding that the objects are difficult to deal with.

In reply to MP Rachel Shebesh queries, the CSC chair explained that the CSC reform initiatives include six strategic priorities, but the commission highlighted two programs which include the Anti-Red Tape Act of 2007 and anti-fixers campaign; that CSC submit its report to Congress and to the President on the human resource development programs involving persons for all levels and ranks within the civil service system; and that the CSC has adjudicatory powers and can compel agencies to implement the decisions of the commission.

Session IV

GLOBAL INITIATIVES AND LINKAGES Linking Global and Regional Initiatives

DR. NASER J. AL-SANE

Chairman, GOPAC

Dr. Al-Sane emphasized that Members of Parliament should have a vision and focus and that they must express some relations between their work at the global level versus the regional level.

On The Arab Region Parliamentarians Against Corruption (ARPAC)

About forty (40) parliamentarians from 11 countries in the Arab Region were initially invited as members of the organization.

The ARPAC started by adopting this seven-pillar strategy:

1. Register members
2. Settle national chapters
3. Create websites as a major communication tool between the chapters
4. Work hard to support UNCAC
5. Work with alliances on the local level
6. Encourage each chapter to push forward a national strategy for fighting corruption
7. Encourage members and to ask the executive body to conduct workshops and conferences all around the region

Lessons Learned from ARPAC Organizing Experience

- **Not every MP should be welcomed in the organization.** - The organization has to be very selective.

Dr. Al-Sane narrated an experience with a lady parliamentarian who attended the meeting in Beirut and kept on asking for a certificate of attendance for such a historic moment. She was given what she wanted and a group photo as a gift. A month later, the organization heard that the lady was a corrupt MP in her country.

- **Every MP must sign a commitment** – This is a Code of Conduct that every MP who is interested to join in the organization must sign. When one does not fulfill his/her commitments, then his/her membership can be discontinued. Being selective, however, must not translate to losing people. There are blocs in the organization who can actually work effectively.

- **Let everyone play a role** –ARPAC meetings were done in different cities and different countries to encourage MPs to show their abilities and how well-connected they are. The chapters should be able to find their own funding for their events. It will show how strong the chapters are in building their own capacity.
- **Establish a network of secretaries of national chapters** – MPs are always too busy and it is their secretaries who always answer emails and calls. Thus, training the secretaries is the easy way to approach MPs because they now understand the language and history of the organization. They also cater to their distinct needs.
- **MPs should have focus** – MPs talk of irrelevant issues during meetings. They should be focused on the subject and get straight to the point.

Guidebooks for Parliamentarians

To let parliamentarians learn, the organization has started to write and publish Guidebooks for Parliamentarians, which are very important tools that link to the core message of relations between the global and regional work.

- **First Guidebook** – *The Parliamentary Guidebook for Fighting Corruption*

This is an original work of the World Bank that summarizes the tools, indexes, integrity system and others. The Arab chapters tried to do their own version with local authors who document cases and examples from the region using the Arabic language for easy reading.

- **Second Guidebook** – *Manual for Financial Oversight*

This is also an original work of the World Bank but the Arab Region also developed its own version by conducting workshops for its MPs together with experts.

- **Third Guidebook** – *Parliamentary Guidebook of UNCAC*

This has been developed from the region to tell parliamentarians what their roles are in promoting the UNCAC. It provides a very standard template that can be used by other parliaments in the world. It is also anticipated to contain more examples from different regions in different languages. A copy of this is sent to all Speakers of Parliament in the region but it is also accessible in the organization's website.

- **Annual Reports on How Corruption is being Faced by MPs in Countries**

The ARPAC has also produced and published this report which documents cases, actions taken, and members who do the research in the region.

GOPAC Level

The GOPAC has adopted policy positions in different conferences. Most notable was the position adopted in the Kuwait conference. The policy positions state the role that has to

be reflected in a global, regional, and, hopefully, local level, particularly what their stand is on UNCAC, Parliamentary Oversight, Budget Expenditures including Revenues for Public Resources, Anti-Money Laundering, Ethics and Conduct Regime, and Parliamentarians Engaging Citizens and Civil Society. These are developed on a global level.

Hopefully, the organization can gather 36 cases from 36 countries that can be crafted together for the Mexico conference. The objective is to tell our audience and funding/partner organizations what our members are accomplishing.

Challenge and Answer

On the challenge on what specifically has SEAPAC and GOPAC done, the answer is to provide specific reports written by parliamentarians that do not show biases and which are unique and genuine. Thirty-six (36) countries from different regions will join and prepare the monitoring report to be presented in Mexico. Regions are independent bodies. They are the solid core structure of GOPAC.

Global Competition

There is a plan to promote competition between chapters with certain criteria and judges. The chapters will be ranked in every global conference in the future. Hopefully this idea can flourish and be accepted by the executive. But this can definitely start from the Arab chapter.

REPORT FROM SEAPAC MEETING

Senator Edgardo J. Angara

President, SEAPAC

Highlights:

Senator Edgardo J. Angara reported the following:

1. SEAPAC has inducted 13 new members of SEAPAC including Hon. Cipriana da Costa Pereira of Timor Leste and two (2) members of Parliament of Bangladesh who are actually from South Asia;
2. Elected the following members of the Executive Board:
 - Hon. Kamarun Bin Jaffar of Malaysia
 - Hon. Cipriana da Costa Pereira of Timor Leste
 - Hon. Hou Sry of Cambodia
 - Hon. Sk. Abu Bakar of Bangladesh
 - Hon. Benny K. Harman of Indonesia
 - Hon. Loren Legarda of the Philippines

3. Elected the new set of Executive Officers, as follows:
 - President - Senator Angara of the Philippines
 - Vice President - Senator Harman of Indonesia
 - Treasurer - Senator Zubiri of the Philippines
 - Secretary - Rep. Herrera-Dy of the Philippines
4. As president of the SEAPAC, he was one of the heads of the legal committees that drafted some of the language of the UNCAC. When the UN Convention was finally put together and signed in Merida, Mexico, he headed the Philippine delegation that went to Mexico to sign the Convention. Indonesia was the first Asian country that ratified the UN Convention and was immediately followed by the Philippines. Most of the SEA countries have ratified it. SEAPAC then initiated a series of dialogues with member-countries. The Philippines sponsored several fora and seminars with the help of the Asia Foundation and other partners in good governance and anti-corruption seminars such as the Friedrich Ebert Stiftung, Konrad Adenauer, and Hanns Seidel Foundations.
5. Renewal of what the organization has accomplished in the last four years which led to the unanimous adoption of the SEAPAC Regional Action Plan for South East Asia with the following four essential pillars:
 - 5.1 Institutionalization of the organization's chapters (regional and national);
 - 5.2 Convince people that it is worthwhile to belong to these organizations/chapters;
 - 5.3 Tap selected members of parliament/congress; and
 - 5.4 Act by consensus.
6. Since UNCAC provides a universal road-map that can be implemented in every country, the principal goal now is to exert efforts as parliamentarians to enforce its provisions against corruption. For the first time, the international community has a remedy under the UNCAC that is set up to recover stolen properties which are taken out of a country.

GOPAC and its Chapters

Senator Angara said that while GOPAC is a good organization, it will never connect with regional partner if it does not extend assistance to its chapters. There must be some "token" from GOPAC so that it can become relevant to the chapters. At this time, GOPAC does not lend any financial or technical support to its members. GOPAC will be meaningful and relevant if it has some sense of connectivity and participation in the activities of its chapters.

The principal task of the chair of GOPAC, he pointed out, is not only to coordinate efforts but also to look for funding in order for its members to be more enthusiastic and have the spirit to cooperate.

Asked by Dr. Nasser what would be an example of a “token,” Senator Angara said that it depends, but global organizations usually extend help to their local chapters.

Finally, he stressed that UNCAC is an important act of consensus since the members are united in identifying and listing certain public transactions that are immoral, improper and illegal, and prescribing the solutions to address them.

REPORT FROM GTF-UNCAC Meeting

Ms Nola Juraitis

Secretary to the GTF-UNCAC, GOPAC

Ms. Nola Juraitis briefly summarized what were discussed by the Global Task Force on the UNCAC during Day 1 of the conference. These are:

- The UNCAC-GTF could act as the incubator to propose and design a workshop in Mexico to develop a Women Parliamentarians’ Against Corruption as part of GOPAC. This organization will also accept men as members since there are men who are actively working on agendas to support women and children.

Hon. Rachel Shebesh of Kenya has agreed to act as an adviser to develop the proposal.

- Quality of Monitoring Reports from individual chapters – GTF’s adviser Niall Johnston said that monitoring reports have two (2) conceptual dimensions:
 - *First Dimension* – Parliamentarians have the right to determine their priorities in national chapters without a need for quality control. But the actual self-assessment performance portion would be beneficial by sharing the report with other stakeholders just to get a second opinion on whether it is effective or not.
 - *Second Dimension* – (unspecified)
- Three other issues were raised:
 1. Political party financing – what is needed is consolidated legislation.
 2. Alarming global trend of bilateral agreements between countries, where countries agree with significant conditions which, in turn, may have significant implications for the long term public policy. It may undermine the role of parliamentarians in determining policy for their countries.
 3. Disaster relief and climate change situations that are actually raising very new and sophisticated avenues for corruption.

Roundtable Discussion on the Global Initiatives and Linkages

- MP Rachel Shebesh pointed out the need for GOPAC to delineate its role vis-à-vis the regional and national chapters in the fight against corruption, particularly what kind of support from the national to the regional chapters await countries such as Kenya. As a global body, she said that GOPAC must have an advisory role of providing the necessary measures to combat corruption in a global situation, similar to what the SEAPAC is doing in the regional level. Ms. Shebesh also sees the importance of “partner-support” even within its African member-states, in coming out with programs against corruption.
- Senator Angara, recalling the GOPAC Executive Committee Meeting in Ottawa, Canada last June 10, said that GOPAC needs to “examine” its role in the national chapters moving on to the regional level in the fight against corruption. He said that for the last five years, GOPAC has just been moving to that “very vague, ambiguous era” as a global body. He also agreed on the need for a cooperative effort for GOPAC to finance its goals and objectives, although not in the regional and national chapters. He emphasized that the organization cannot solely be dependent on dole outs from different organizations to implement its programs, adding that each country, each region ought to share in the principle of “burden and cost sharing” in order to achieve its goals. After all, he said, this is what the psychology of organization is all about.
- MP Abu Bakr raised the issue about getting technical and funding assistance from different organizations to finance basic organizations of country and regional chapters on the global move against corruption.
- Dr. Naser Al-Shane admitted that since GOPAC is not like UNDP or the World Bank, he agreed to raise funds to finance its programs, even if there is a small budget allocation for its staff. He said he is amendable to the idea of giving “tokens” but this would depend, he said, on how much should be provided. He said the policies of funding organizations change, and that the core job of GOPAC is to guide member-countries to move in the right direction, regionally building a momentum then globally.

Session V
PERSPECTIVES/INITIATIVES IN THE ASIAN REGION

PRESENTATION I: WBI PARLIAMENTARY PROGRAMS IN ASIA

Mr. Niall Johnston

Asia Regional Coordinator

Parliamentary Strengthening Program

Mr. Johnston explained that the Parliamentary Strengthening Program (PSP), which falls under the “Public Institutions” category, forms part of the WBI’s governance practice that aims to support in-country reform teams to create and sustain multi-stakeholder coalitions that facilitate and manage the complex process of implementing governance reforms.

He stated that this program is necessary because:

- Parliaments, created to represent citizens’ interests and give them greater voice in government, have taken on greater legislative and oversight powers.
- The challenge today is to ensure that parliaments use their authority to respond to the needs of the people, particularly the marginalized sector of society.
- It enhances parliament’s capacity to oversee budgets and the performance of government policies and programs.

Mr. Johnston clarified that the WBI would like to support countries by studying their respective budget cycles—from its development, recommendation, execution and even the audit on how the budget was used. For instance, he said that the Philippine Congress’ constitutional authority to receive and examine the accounts from the national audit commission has not been given much study.

He then enumerated what the program aims to accomplish:

- To work in partnership with parliamentary training/research institutes which can be either regional- or country-specific;
- To strengthen the capacity of parliaments to oversee the allocation and use of public funds;
- To assist parliamentarians to better represent the interest of citizens in the policy process, particularly in the poverty reduction strategy process;
- To support parliamentary learning networks that address key development policy issues; and
- To encourage action research on the role of parliaments (Action research is not just academic but one that will give results and help parliament decide options for action. This research contributes to improving the design of the WBI’s parliamentary support programs and helps ensure impact and sustainability).

Mr. Johnston explained that Members of Parliament; parliamentary staff; parliamentary networks (e.g., GOPAC and SEAPAC); parliamentary reporters; and civil society would benefit from the PSP.

He said that the PSP could be accomplished through the following general approaches:

- *South-south learning* – The WBI does not believe in the concept developed countries talking with developing countries. The WBI works with partner institutions and operational teams to engage and strengthen global and regional parliamentary networks as platforms for parliamentary peer review
- *Knowledge exchange and structured learning* – The WBI is not only working on e-learning programs that build the skills of parliamentary staff but is also developing a university-certified executive development program for the same. This training will be completely tailored to the operational demand of operational staff.
- *Networks and innovative knowledge platforms* – The WBI is taking the lead in developing a web-based parliamentary knowledge hub called AGORA, which will centralize parliamentary research, best practices and expertise. It is about to hand over the leadership of the AGORA project to the UNDP. Through the AGORA, parliamentarians can have peer-to-peer discussions on subjects that are of common interest to them.

The WBI is also providing supporting three regional parliamentary networks - East Asia Association of PACs, Southern Africa Development Community Association of PACs, and the Africa Parliamentary Network Against Corruption. It is also in the process of establishing two new regional associations – the West Africa Association of Public Accounts Committees and the South Asia Regional Association of Public Accounts Committees

On the other hand, Mr. Johnston noted that the PSP could also be accomplished through a pedagogic approach which is:

- *Individual* – one-on-one and small group learning;
- *Institutional* – Looking at parliament as institution and its various elements as well as strengthen practices and knowledge of target institutions (e.g. committees, plenary)
- *Systems based* – Defining entry point based on the interface between parliament and broader systems

Mr. Johnston underscored the importance of having a method for building parliamentary capacity, such as:

- Mixing all three approaches yields greatest capacity yields – focus on the “how” element of reform;
- Leveraging resources and expertise;
- Predominantly working on a regional level rather than on individual countries;
- Focusing on four themes: budget, extractive industries, climate change and structured learning for parliamentary staff; and

- Cross-cutting areas – Carrying out analytic/diagnostic work on:
 - a) vulnerable parliaments; and
 - b) fragile states.

Moreover, Mr. Johnston pointed out that the need to strengthen parliamentary networks/communities to act as platforms for:

- Parliaments to develop regional benchmarks/knowledge based on international/regional good practice (This is different from that of the IPU).
- Peer review process
- South-south exchange

He stressed that the program is made possible through the assistance of various partners around the world including the Centre for Democratic Institutions (CDI), the German Technical Cooperation (GTZ), the GOPAC, Inter-Parliamentary Union, and the State University of New York.

He informed the Body that the WBI-PSP supports Asia through various programs in countries such as in the following:

- *Bangladesh* – comprehensive strengthening program delivered in collaboration with CIDA;
- *Cambodia* – support to engage with the PRSP and build anti-corruption capacity;
- *Indonesia* – strengthening parliamentary administration;
- *Laos* – supporting oversight of public finances;
- *Mongolia* – supporting oversight of the extractive industries, procurement and public finances;
- *Pakistan* – supporting oversight of public finances;
- *Sri Lanka* – supporting oversight of public finances and creation of a Parliamentary Budget Office (PBO). (The WBI does not believe that there are quick fixes for parliaments as parliamentary strengthening involves long-term commitment.)
- *Thailand* – supporting the creation of a PBO;
- *Vietnam* – supporting the overall budget process and strengthening the local training institute

Included in the WBI-PSP program are the following:

- *Beechworth PAC Summer School in Australia* – an annual gathering of country delegations consisting of PAC members, staff and representatives of the Supreme Audit Institution (SAI);
- *GOPAC and SEAPAC* – promoting development across Asia; and

- *ARAPAC* – A regional association of PAC style committees that would mirror the existing regional association of SAIs. Asia is the only region without one.

In closing, Mr. Johnston invited the participants to a meeting that will be hosted by the WBI for regional associations of PACs for Asia in Dhaka, Bangladesh in December this year.

PRESENTATION II: PRIORITIES FOR SOUTHEAST ASIA
Anti-Corruption and Parliamentary-Capacity Building
Senator Edgardo J. Angara
Philippines

Senator Angara informed the participants that his presentation focused on three main points:

1. Parliamentarians are best-suited to effect institutional reforms

Senator Angara pointed out that parliamentarians have a vantage point in terms of having a strategic view of what is happening in society, and they also wield tremendous influence in applying solutions to corruption and building parliamentary capacity.

2. Corruption has a cultural context

Senator Angara underscored the importance of studying a country's culture to find an effective and acceptable solution to corruption. Even though gift-giving is part of tradition in the Philippines, he said that the legal system treats the act as a form of bribery or corruption when gifts are given to public officials. He noted that many ideas that were incorporated into the country's penal laws such as the Anti-Graft and Corruption Practices Act, are almost alien to Philippine culture, and such a "disconnect" exists between what is acceptable in the local culture and what is forbidden by law. He believed that the battle against corruption must be suited to society's notion of right and wrong.

Senator Angara also informed the participants that he had passed several major anti-corruption laws in the Philippines, including the establishment of the Office of the Ombudsman and the Procurement Law.

3. Regional Cooperation as a way forward

Senator Angara noted that collaboration with other nations is also important in the fight against corruption particularly since Asians, for instance, have a tendency to call each other for help. He said that such form of cooperation is vital because no nation can fight corruption alone.

However, he conceded that this would take time as Asian nations have become accustomed to having a "dialogue of silence" as evidenced by the 45-year old ASEAN wherein matters are not rushed and are acted on by consensus. He said that members of

the ASEAN have tried to learn to live with each other's cultures and traditions and uniqueness in pursuing a common undertaking like fighting corruption.

ROUNDTABLE DISCUSSION

Rep. Juan Edgardo Angara, Member, Philippine House of Representatives, pointed out the following:

- Parliament needs to be independent in order to carry out its role as a “check-and-balance” in the government system. As such, bills have been crafted for the creation of a Legislative Academy in the absence of an independent staff for Congress. For instance, bills that concern a particular government agency/department are initiated by the department itself e.g., anti-money laundering measures or creation of credit bureaus are proposed by the Central Bank while cybercrime bills are initiated by the Department of Justice.
- The Philippines needs assistance in ensuring the integrity of its own audit council. Although it has a Commission on Audit which is tasked to monitor and spot corruption in the implementation of projects, the agency is perceived to be a recipient of grease money involved in the approval of certain projects.

Rep. Bernadette Herrera-Dy, Member, Philippine House of Representatives, remarked that

- Employees of the Philippine audit commission ought to undergo training in anti-corruption practices as they belong to the top agency tasked to monitor the financial activities of other government departments and members of parliament.
- The benchmark or evaluation for the performance of government agencies as well as parliament members could be made via a scorecard similar to that used by the International Organization for Standardization (ISO).

Responding to Dr. Al-Sane's request to elaborate on the World Bank's position regarding Parliamentary Budget Offices (PBOs) as well as on how the organization has set performance measures for parliaments, Mr. Johnston explained that —

- The first protocol for each country is not the World Bank Institute but the WB Country Representative assigned to that country;
- Parliament ought to inform the WB of the specific areas where it could provide assistance for their country. While there is no problem with having the government approach the WBI directly, it is also important for the WB Country Representative to have a strong dialogue with parliamentarians.
- The WBI's benchmarks for democratic legislature comprised a series of indicators that would show whether a legislature is fulfilling democratic norms. On the other hand, the IPU gives a narrative description of how the things might be but does not

set up any indicators or roadmaps to be used as a measurement. Each individual legislature can look at itself in terms of the guiding ideals of the IPU or through the indicators of the UNDP. The WB-UNDP and IPU have worked together to come up with different approaches for parliamentary assessment. The WB met with all parliamentary strengthening organizations last February 2010 to discuss the benchmarking process.

- For parliament to properly consider the budget proposed by the Executive, it needs access to comprehensive information about the same. However, most countries cannot afford to have a set-up similar to the highly staffed and sophisticated Congressional Budget Office the United States. Two of the most successful parliamentary budget offices are found in Uganda and in South Korea.
- A successful budget office could also be created by setting up a contract with an agency or think tank to provide budget research. It is important for a budget office not only to be independent and authoritative but also able to give timely advice and remain non-partisan (being above politics).

Senator Angara commented that he appreciates the World Bank Institute for providing budget expertise to local parliaments, but what he is interested in, he stressed, is how the WBI can help strengthen policy study groups in the Philippine Congress. Policy studies provided by the academe are fine but what Congress needs, for instance, is the in-house capability to come out with policy studies that are timely, comprehensive and informative.

Mr. Johnston pointed out that what many parliaments around the world are weak at is their oversight role after passing legislation. Thus, there should be an oversight or follow-through studies of the laws that parliament has passed, the results of which should be provided the Executive.

Senator Angara, however, clarified that as far as the Philippine Congress is concerned, it has become an expert in oversight and monitoring roles and that its oversight functions have become too much that, most often than not, they already intervene in the implementation role of the Executive.

Dr. Naser Al-Sane cited his own parliament's lack of expertise in analyzing voluminous reports submitted by the Executive but prepared by hired international consulting firms; hence, the need for a very capable in-house policy study group. The three-volume report on the state of their Social Security System, he said, was written in Arabic with a 12-page government summary written in English. According to him, many MPs would not be able to read this voluminous document. He narrated that when a dialogue or debate took place on television on this issue, the people were dumbfounded when they found out that the government summary contradicts the findings contained in the report prepared by major consulting firms.

Asked by Dr. Al-Sane what challenges were faced by SEAPAC then when it first organized and what it faces now, Senator Angara replied that today SEAPAC has a clear road map to accomplish its mission and goals through the UN Convention on Anti-Corruption. He said that parliamentarian-members of SEAPAC must now use their skills,

their training, their practical experience and knowledge to see to it that the anti-corruption provisions in the UNCAC are implemented on the ground or country level.

MP Cipriana da Costa Pereira noted that her country, Timor Leste, was not in the list of Asian countries that WBI has assisted. She then requested Mr. Johnston for assistance especially because they have established a GOPAC in Timor, and that she is building a parliamentary network after attending parliamentarians' meetings in Bali, Dacca and Doha. She said she also needs assistance in establishing a civil society network against corruption in Timor Leste.

On the query of Mr. Martin Ulrich on the difference between a parliamentary oversight function and a government minister's oversight function, Mr. Johnston commented that Parliament exists to scrutinize the government or to ask why a policy is not working.

Session VI

MOVING FORWARD

PRIORITY ISSUES FOR GLOBAL ACTION

Mr. Ulrich outlined the following steps that GOPAC will undertake in the future:

- Craft a comprehensive global report on the strengths and weaknesses of parliaments in dealing with corruption based on each country report;
- Publicize the best practices that parliaments have done to fight corruption through various media, including through a monthly issue of good developments in this advocacy in the GOPAC website;
- Link the global and regional efforts undertaken to stem corruption with that of the country level efforts; and
- Encourage parliaments to implement the provisions on anti-corruption spelled out in the UNCAC.

CLOSING STATEMENTS

Senator Edgardo J. Angara

SEAPAC Chairman

- Senator Angara stated that he is truly delighted that the delegates came to Manila. He disclosed that he was fearful when Ms Nola Juraitis asked him in Ottawa to host the meeting because he may not be able to prepare well as it would coincide with the budget deliberations in Congress where he always take an active part of, and with the *Dia del Galeón*, another international program to be attended by 32 countries where he is also host. He explained explaining that the event is to celebrate the galleon trade, a trade route starting from Manila to Acapulco, and from Acapulco to Seville and other parts of the world that launched the trade globalization for more than two-and-a-half centuries which put Manila at its center. He expressed hope that he, as host, did not disappoint Ms Juraitis and that the delegates enjoyed their short stint in the country.

DR. NASER J. AL-SANE

Chair, Global Organization of Parliamentarians Against Corruption

- Dr. Al-Sane stated that the two-day session was successful because it was very well-organized, well-planned and a unique one as compared to the various regional conferences he attended in the past. For instance, he pointed out that the staff were very polite, knowledgeable and prompt in providing technical support.

- He commended Senator Angara for his efforts in securing the necessary funding for the event. He said that with leaders like Senator Angara, GOPAC, not only SEAPAC, is in good hands.
- He stated that with the setting of a clear roadmap, Members of Parliament would be properly guided on what are yet to be done in their respective countries. This, he said, is necessary to solicit the needed support from each member so that the objectives could be achieved.
- He observed that a number of organizations, including the SEAPAC and the GOPAC, do not do well with the media. Stating that he agreed with the comments of Senator Legarda, Dr. Al-Sane said that he requested her to share her experiences with the organization, given that she was herself a member of the media, to boost media relations.
- He urged his fellow parliamentarians to translate their plans into actions because it is the only way to show people that they have done something. He reported that members of the Arab Region Parliamentarians Against Corruption (ARPAC) have been successful in various efforts, for instance, in blocking the sale of a huge area of land to one of the influential people in Morocco, or on a public works project in Yemen where the cost was inflated by over five times, and a US\$5-billion dollar deal to buy a fleet of airplanes for the army in Kuwait by presenting to the government the necessary documents that proved that the project was not needed by their country.
- He said that his fellow parliamentarians can share similar stories where they may be part or could have heard of, supported by the necessary documents, by sending it to the GOPAC secretariat which would be more than willing to post them on the GOPAC website. He believed that this mere sharing of information could have a lot of effect on people.
- He recalled that during the opening of the anti-corruption academy in Vienna, he asked each founding member to seek an independent opinion on how the organization should be run; and it resulted in a report which was completed with the help from consultants and was presented to the executive committee.
- He expressed hope that his fellow parliamentarians could send reports or stories, perhaps in a month's time, to SEAPAC/ GOPAC website which is a way of affirming their commitment to what had transpired in the two-day event.

Shiek Abu Bakr suggested that the IPU plenary session could be the best forum or opportunity for GOPAC to present its ideas so that it could reach the whole global community. In reply, Dr. Al-Sane said that it is a good idea to address the IPU gathering, adding that he already communicated with the IPU secretary-general who has expressed support on issues on ethics.

**Regional Meeting
of the
Southeast Asian Parliamentarians
Against Corruption (SEAPAC)**

30 September 2010
Hotel Sofitel Philippine Plaza
Pasay City, Philippines

HIGHLIGHTS OF THE MEETING

LIST OF PARTICIPANTS:

1. Hon. Edgardo J. Angara
Member of the Senate, Philippines
President, SEAPAC
2. Hon. Muhammad Ali Ashraf
Member of Parliament, Bangladesh
3. Hon. Abu Bakr
Member of Parliament, Bangladesh
4. Hon. Hou Sry
Member of the National Assembly, Cambodia
5. Hon. Cipriana da Costa Pereira
Member of Parliament, Timor Leste
6. Hon. Benny K. Harman
Member of the House of Representatives, Indonesia
7. Hon. Kamarun bin Jaffar
Member of the National Assembly, Malaysia
8. Hon. Juan Edgardo M. Angara
Member of the House of Representatives, Philippines
9. Hon. Nelson P. Collantes
Member of the House of Representatives, Philippines
10. Hon. Bernadette Herrera-Dy
Member of the House of Representatives, Philippines
11. Hon. Acmad Tomawis
Member of the House of Representatives, Philippines
12. Hon. Loren Legarda
Member of the Senate, Philippines

13. Hon. Juan Miguel F. Zubiri
Member of the Senate, Philippines
14. Hon. Chona Cruz Gonzales
Member of the House of Representatives, Philippines
15. Hon. Ronald Cosalan
Member of the House of Representatives, Philippines

OPENING REMARKS

Senator Edgardo J. Angara, incumbent President of the Southeast Asian Parliamentarians Against Corruption (SEAPAC), welcomed the participants to the meeting.

Thereafter, he delivered his report on the performance of SEAPAC for the past five years, highlighting its achievement of pushing its member-countries to ratify the United Nations Convention Against Corruption (UNCAC).

Expressing the belief that representative government would not be effective unless a transparent political party system is in place, Senator Angara expressed enthusiasm that the reforms embodied in his Political Party Development Bill would transform Philippine political parties into political institutions that genuinely serve and represent the public interest, for instance, by requiring each political party to submit itself to a public audit of its accounts, in exchange for which, the state would provide subsidy to political parties in order that they would not have to rely on vested interests for financial assistance to sustain their operations.

ACKNOWLEDGMENT OF THE PRESENCE OF THE DELEGATION FROM BANGLADESH

At this juncture, Senator Angara acknowledged the presence of the delegation from Bangladesh.

After commending Senator Angara for effectively steering SEAPAC in the last five years and for taking the lead in Asia, Sheik Abu Bakr inquired about the possibility of renaming SEAPAC, for instance, the “Asian Parliamentarians Organization Against Corruption,” taking into consideration countries, including Bangladesh, that are not part of Southeast Asia but are interested in joining the organization.

Prof. Md. Ali Ashraf affirmed that people in sub-Saharan and South Asian countries are also looking for a better world which could be achieved by eliminating the man-made evil called “corruption,” and eradicating poverty, regional disparity, health and other problems. He expressed gratitude to Senator Angara for inviting Bangladesh to the meeting and for the hospitality accorded to the delegates from Bangladesh. He then urged the members to broaden the scope of SEAPAC.

Senator Angara stated that much as SEAPAC would like to accommodate members from the whole of South Asia, such kind of expansion might take some time. However, as a

transition measure, he said that SEAPAC welcomes the membership of Bangladesh, but without necessarily changing its nomenclature.

MOTION OF SENATOR ZUBIRI

Upon motion of Senator Zubiri, there being no objection, the Body unanimously approved the membership of Bangladesh in SEAPAC.

INDUCTION OF THE NEW MEMBERS OF SEAPAC

Senator Angara administered the oath to the new members of SEAPAC, to wit:

Hon. Muhammad Ali Ashraf	Hon. Acmad Tomawis
Hon. Sk. Abu Bakr	Hon. Loren Legarda
Hon. Hou Sry	Hon. Juan Miguel F. Zubiri
Hon. Cipriana da Costa Pereira	Hon. Chona Cruz Gonzales
Hon. Benny K. Harman	Hon. Kamarun bin Jaffar
Hon. Nelson P. Collantes	Hon. Ronald Cosalan
Hon. Bernadette Herrera-Dy	

ELECTION OF MEMBERS TO THE EXECUTIVE BOARD

Upon motion of Senator Zubiri, there being no objection, the Body elected the following members to the Executive Board from 2010 to 2013:

Hon. Kamarun bin Jaffar (Malaysia)
 Hon. Cipriana da Costa Pereira (Timor Leste)
 Hon. Hou Sry (Cambodia)
 Hon. Sk. Abu Bakr (Bangladesh)
 Hon. Benny K. Harman (Indonesia)
 Hon. Loren Legarda (Philippines)

ELECTION OF EXECUTIVE OFFICERS

Senator Angara suggested that as practiced in most international organizations, the Secretary and Treasurer should come from the same country as that of the President.

Upon motion of Senator Zubiri, there being no objection, the following were unanimously elected as the new officers of SEAPAC:

President	-	Senator Angara (Philippines)
Vice President	-	Senator Harman (Indonesia)
Treasurer	-	Senator Zubiri (Philippines)
Secretary	-	Rep. Herrera-Dy (Philippines)

ROUND TABLE DISCUSSION ON SEAPAC'S REGIONAL PLAN OF ACTION

Senator Angara presented the proposed SEAPAC Regional Plan of Action (2010-2013) for comments and suggestions. He said that while the first SEAPAC Regional Plan for Action drafted in 2005 has achieved its goal of securing the ratification of the UNCAC by member-countries, the new SEAPAC action plan sticks to its major goal of institutionalizing the organization by building up capacity for knowledge and information of the member-countries and pursuing mutual legal assistance to be able to implement the objectives of UNCAC.

Asked by Senator Bakr (Bangladesh) whether there is still any country in Southeast Asia that is not a member of SEAPAC, Senator Angara believed that all countries in Southeast Asia have already been covered.

Adverting to page 3 of the SEAPAC Regional Plan of Action, Senator Harman (Indonesia) proposed the insertion of a new item no. 3 under Title E to underscore the need for SEAPAC to support the judiciary in combating corruption. Senator Bakr (Bangladesh), however, pointed out that the proposal would run counter to the basic tenet of the separation of powers between the three branches of government. Senator Angara explained that the proposal is merely to lend support and cooperation to the strengthening of the judiciary as a vital component in the fight against corruption. He believed that there is no principle, either in civil or in common law, that would prohibit legislators from lending support to the strengthening of the judiciary.

Senator Bakr (Bangladesh) believed that the judiciary should, in fact, be also under scrutiny of the parliamentary standing committee.

At this point, Representative Angara (Philippines) proposed the insertion of Item No. 3, under Title E on page 3, to wit: RECOMMEND MEASURES TO REFORM THE JUDICIARY OF MEMBER-STATES, WHILE ACKNOWLEDGING THE INDEPENDENCE OF SUCH.

Senator Zubiri (Philippines) welcomed the amendment, stating that it does not mean intervention with the judiciary but merely walking side by side with it in the fight against corruption.

ADOPTION OF THE SEAPAC REGIONAL ACTION PLAN

Upon motion of Senator Zubiri, there being no objection, the SEAPAC Regional Action Plan was unanimously adopted by the Body, subject to style.

INDUCTION OF EXECUTIVE BOARD MEMBERS AND EXECUTIVE OFFICERS

At this juncture, the Chair of GOPAC, Dr. Naser J. Al-Sane, administered the oath to the new Executive Board Members and Executive Officers.

STATEMENT OF THE GOPAC CHAIR

In closing, Dr. Naser J. Al-Sane commended Senator Angara for a well-organized and well-prepared gathering which, he said, is a gesture of seriousness. He urged SEAPAC not to be merely enthusiastic and symbolic in its goals but to mean business, which is to fight corruption not in the traditional way but specifically in being able to measure what it has achieved and in which area it has failed in the fight against corruption. He expressed the hope that one year hence, Senator Angara could post in the GOPAC website SEAPAC's actual accomplishments.

**REPORT OF THE PRESIDENT OF SEAPAC
EDGARDO J. ANGARA, SENATE OF THE PHILIPPINES**

Transparency of action, accountability for results, and the rule of law—these are the elements of good government. Without strong political institutions in place, an economic system cannot work well, let alone achieve its full potential for progress and prosperity. It is out of belief in these principles that the South East Asia Parliamentarians Against Corruption (SEAPAC) was formed.

Building Synergies Within the Region

We were born on March 31st 2005—one of the youngest chapters of GOPAC (?). At the time of SEAPAC's founding, I was the only Asian representative in GOPAC's Executive Board. I accepted the challenge of organizing SEAPAC and of serving as its first President.

Though there were only 26 of us then – our founding members came from Cambodia, Indonesia, Malaysia, Singapore, Thailand, Vietnam, and the Philippines—we had high hopes, and a definite agenda against corruption. We agreed to spur our member-countries to ratify the UN Convention Against Corruption. We also issued what has become known as the “The Manila Declaration.” Essentially this Declaration commits its members, collectively and individually, to pursue the following program of action:

1. Endorse the ratification of the United Nations Convention Against Corruption;
2. Foster closer collaboration among legislators of the countries in Southeast Asia;
3. Review the state of our respective laws, standards, systems and strategies to determine their adequacy and consistency with our international commitments against corruption;
4. Promote the participation of all sectors of society in advancing the rule of law and good governance in the conduct of public and private affairs.

We also adopted a Regional Action Plan, to maximize opportunities for international cooperation, knowledge-sharing and the transfer of best practices among member-states. SEAPAC has always adhered to an agenda centered on Institutionalization, Capacity and Knowledge-building, and Reform Dialogues.

SEAPAC spurred institutionalization by strengthening the network of parliamentarians belonging to GOPAC from Southeast Asia. We organized country chapters, held group activities and made SEAPAC the regional authority in the fight against corruption.

We gave the highest priority to Capacity and Knowledge Building for this reason: while legislative frameworks in most of our countries may provide for laws and regulations that can be used to curb corruption, these may be under-implemented—or even ignored—because of political circumstances, the lack of public awareness, and other reasons. To provide members with the necessary resources to map out legislative action, we documented good national practices and sponsored pilot studies conducted by legal and administrative experts.

Intensive and Effective Collaboration With Global Partners

One of our best practices has been our regular Reform Dialogues, through which we cross-fertilize the practical experiences brought in by members and participants from other regions.

In April 18, 2005, SEAPAC took part in the UNODC-sponsored 11th Congress on Crime Prevention and Criminal Justice in Bangkok (Thailand), which identified anti-corruption efforts as an integral component in dealing with transnational crime.

On December 14, 2005, SEAPAC was a participant in the President's Forum on Good Governance in Phnom Penh (Cambodia), where we exchanged experiences in designing and carrying out effective anti-corruption legislation.

On December 9, 2005 SEAPAC celebrated World Anti-Corruption Day by means of a joint forum with the Philippines' Office of the Ombudsman.

Similar engagements occurred on a global scale:

On Sept 27, 2005, SEAPAC, in cooperation with the German Friedrich Ebert Stiftung (FES), organized a conference called "Curbing Corruption in Southeast Asia." We continue to advocate fair and transparent elections by dealing with corruption issues in Political Party Financing.

On September 19, 2006, your Chair represented SEAPAC in the 2nd Global Conference of Parliamentarians Against Corruption in Arusha, Tanzania.

SEAPAC was also a key participant in the 2nd Conference of State Parties to the UN Convention Against Corruption (UNCAC) in Nusa Dua, Bali, Indonesia from January 28 to February 2, 2008. A key topic was how to monitor—how best to review—countries' progress in using the Convention to prevent corruption.

The Parliament of Timor Leste invited your Chair invited to speak at the Conference on the National Network on Anti-Corruption in Timor Leste (NAC-TL) on September 16, 2008.

On June 10 this year, your Chair represented SEAPAC in the GOPAC Executive Committee Meeting in Ottawa, Canada. There we successfully invited the Executive Committee to hold its biennial conference in 2013 in Southeast Asia, specifically in Manila.

On July 22, 2010, SEAPAC partnered with Transparency International (TI) in organizing a "Forum on Reforms in Governance and Business." This was held at the Philippine International Convention Center (PICC) in Manila.

Our continued efforts have borne some fruit. SEAPAC reached the target it set at its founding—pushing for the ratification of the UNCAC. As a member of the executive board of

GOPAC, I chaired the sub-committee that helped draft some of the language of the UNCAC. Your Chair also co-headed the Philippine delegation to Merida, Mexico, that signed the Convention in December 2003. The Philippine Senate ratified the UNCAC in November 2006—making the Philippines the second Southeast Asian state to do so.

I continue my quest for stronger parliamentary institutions by pushing for measures—whether I had co-authored them or not—in my country's legislature. These measures include:

(14th Congress) Senate Bill No. 67 (SBN) a Political Party Development Bill which I filed; SBN 2610 Bill Declaring October of Every Year as “Anti-Corruption Month” in the Entire country ; SBN 556 - Bill removing from public office any public officials who place their assets in the name of dummies SBN 2982 – Bill Regulating Official Local and Foreign travels of government officials and employees to ensure transparency and accountability in the Use of Funds requested for the purpose, defining penalties for non-compliance with disclosure, accounting, liquidation and reporting requirements .

(15th Congress) Senate Bill No. 51 – Political Party Development Bill; SBN 661 – Bill grants rewards and protection to those who will report malfeasance in government offices and appropriates funds therefore. ; SBN 541 – Bill regulates the solicitation of contributions from or sale of tickets to any government official or employee by any public official or employee.

Bill on Political Party Development

I am especially anxious about my Bill on ‘Political Party Development’: I want to see it enacted into law as soon as possible.

I recently re-filed the bill, since it had lapsed with the close of the old Congress. I believe the reforms this measure embodies to be crucial in transforming our parties into political institutions that genuinely serve the public interest and meet the needs of our political life during this period of democratic transition.

I envisioned four primary objectives when I designed this measure:

First, to institutionalize political parties and strengthen the party system for political development and democratization.

Second, to create a Party Development Fund that would subsidize qualified political parties.

Third, to promote accountability, openness, and self-sufficiency among political parties.

And, fourth, to transform personality-oriented political factions into programmatic, issue-oriented parties.

The bill holds political parties—as public institutions—accountable for their actions. In exchange for the public subsidy, they will be required to adopt an internal code of conduct and agree to public audit of their financial transactions.

This formula shifts the burden of ensuring political advocacy away from the special interests that influence on our political life so greatly. Parties are, after all, the messengers of the people they represent. Our public messages have value, in and of itself. Our parties therefore embody not just a group of speakers, but the coalesced message of the electorate. Invariably, however, some messages are better heard than others. Through the public subsidy, my bill hopes to level the playing field of political competition to some extent.

Of course, we do need to be prudent in empowering those who speak using government resources. My measure requires political parties to register with the central authority supervising the conduct of elections. We also require parties to submit verified petitions of their party constitutions and by-laws, platforms, principles, policies and programs of government. As a measure of transparency, the bill also requires the party to submit a verified list of its national officials, executive board and other relevant information.

The bill also defines Criteria for Eligibility as including information on a party's political representation, its organizational strength, performance, and track record as key determinants. The party is also required to submit relevant documents for purposes of political disclosure; and to make this information available online as well as published in a newspaper of general circulation.

The measure also deals with the issue of Political Turncoatism—a persistent problem in transitional democracies. I expect this aspect of the Bill to foment lively debate. But we must begin to base national politics on stable foundations, and principled parliamentarism is one of its keystones.

I have been pushing for this measure since our 12th Congress—for six years already. A hard and until now a fruitless struggle, but I remain hopeful.

A great deal more for us to do

SEAPAC has done much, but can achieve more. The world we live in is in flux : it is changing at a pace we hadn't imagined possible.

For good or ill, Technology continually introduces transformations in the way we run our governments; in the way we run our economies; in the way we manage our lives. Boundaries—political and territorial—are becoming fluid. Frontiers are being adjusted, and, in some cases, borders are coming down.

In a region where change is constant and persisting, the possibility is strong that we will fail to balance our power and our resources. Strong parliaments guard against this liability.

Our source of legitimacy—the people’s will—is also our greatest burden. Our individual and collective faith in democratic principles will be tested, and by unexpected sources, again and again. It is fortunate that we have SEAPAC as a place for consultation and consensus—and for drawing strength and wisdom from another other.

**REGIONAL ACTION PLAN
OF THE
SOUTHEAST ASIAN PARLIAMENTARIANS
AGAINST CORRUPTION (SEAPAC)
(Adopted September 30, 2010)**

***BUILDING UPON THE GAINS** achieved under the Regional Action Plan adopted on April 1, 2010, in Manila, Philippines, the members of the South East Asia Parliamentarians Against Corruption (SEAPAC) hereby adopt the following Regional Action Plan for the period October 1, 2010 – June 30, 2013:*

A. INSTITUTIONALIZATION

1. Expand SEAPAC membership

SEAPAC was organized in 2005, with representatives of seven countries in the Southeast Asia Region as founding members. ASEAN itself has ten member-countries. SEAPAC should expand to include the three other countries in ASEAN, and invite as well countries in South Asia and the Pacific.

2. Establish SEAPAC national chapters

A national chapter in every member-country of SEAPAC shall be established and mobilized to undertake and implement at the country level the various activities of SEAPAC.

3. Generate funds and resources

Inasmuch as SEAPAC needs funds and resources to effectively implement its Regional Action Plan, it shall endeavor to gain the support of international and multilateral funding agencies to augment the subsidy it receives from GOPAC.

4. Establish a permanent Secretariat

Manila having been the hub of activities of SEAPAC since its establishment in 2005, the information data base and resources generated in the anti-corruption drive are all stored in this capital city. Collectively, The staff that have assisted its founding president and chairman have already developed the requisite skills in the administrative management of SEAPAC affairs. This same staff should now be transformed into the permanent Secretariat to assure continuity and administrative uniformity in operations as SEAPAC expands.

B. CAPACITY AND KNOWLEDGE BUILDING

1. Leverage information technology

SEAPAC shall build and host a website to ensure prompt and immediate communication among its members, allow citizens of member-countries to monitor the activities of their representatives, and provide a vehicle for the observance and exercise of the right to information on government data and processes.

2. Inventory anti-corruption legislation and desirable practices

Existing anti-corruption legislation and good practices in every member-country shall be documented and inventoried to serve as basis for future legislation aimed at introduction of reforms and strengthening the fight against corruption.

3. Exchange visits

SEAPAC members need to be able to observe the best practices of their colleagues in other jurisdictions. Toward this end, SEAPAC shall encourage its members to establish bilateral friendship organizations of parliaments, and provide venues for reciprocal visits of their staff who will learn from each other the best practices and applicable legislation to combat corruption.

4. Conduct reform dialogues

As new issues emerge, and cross-country problems arise among members, SEAPAC shall sponsor reform dialogues in order to arrive at solutions mutually beneficial to the countries involved.

C. MUTUAL LEGAL ASSISTANCE

1. SEAPAC shall encourage its member-countries to forge mutual legal assistance treaties that are indispensable tools in the fight against forms of corruption that transcend international boundaries.

D. REVIEW OF THE NATIONAL INTEGRITY SYSTEM

1. Upgrade the Civil Service

A corps of honest public officials is the backbone of a corruption-free government. In this regard, SEAPAC shall encourage its member-parliaments to enact applicable

legislative measures raising the standards of performance and wages for public officials, and providing them the necessary skills-training and funds to address the problem of corruption

2. Encourage Codes of Conduct in the Private Sector

SEAPAC shall aim to persuade the private sector to play a crucial part in the fight against corruption, principally through a self-imposed resolve to obey the laws. Where national legislation may not necessarily apply, SEAPAC will be the partner of the various business associations and professional bodies in drawing up their respective codes of conduct.

3. Support civil-society initiatives

Given that government resources are not always enough to enforce anti-corruption measures, SEAPAC shall encourage its member-parliaments to enact legislation and other measures extending support to civil-society organizations engaged in the monitoring and investigation of government transactions.

E. IMPLEMENT THE UNITED NATIONS CONVENTION AGAINST CORRUPTION

1. Enact legislation to implement the provisions of the UNCAC

Inasmuch as the provisions of the United Nations Convention Against Corruption are not self-executory, the member-parliaments of SEAPAC shall endeavor to enact enabling legislation in order that the UNCAC may operate with the force of law, e.g., Anti-Money Laundering Act, Whistleblower Act, Right to Information Act, Procurement Act, Political Party Reform Act.

2. Support and ratify related treaties, conventions and agreements

Even as they have already ratified the UNCAC, all member-parliaments in SEAPAC shall undertake to establish a broad international framework against corruption by supporting the many related treaties, conventions and agreements designed to prevent corruption, e.g., the Stolen Assets Recovery Initiative of the World Bank and the United Nations Office of Drugs and Crime, which allows developing countries to recover from safe havens in developed countries assets that have been stolen by corrupt leaders.

3. Reform the Judiciary

While acknowledging the independence of the Judicial Branch, SEAPAC shall encourage its members pass legislative measures designed to oversee the workings

of the Judiciary in their respective countries, and, where necessary, to recommend corrective measures aimed at instituting judicial reforms to combat corruption.

This Regional Action Plan shall be implemented effective immediately and shall be subject to an annual review on the first day of October of every year for the purpose of formulating a final assessment on June 30, 2013.

ADOPTED on September 30, 2010, in Manila, Philippines