



GOPAC News

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CHAIRMAN'S MESSAGE

John Williams, Member of Parliament, Canada



Recent months have shown that, while the occurrence of corruption can at times be subtle and evasive, GOPAC's

response to corruption will be neither. The past several months have been filled with aggressive GOPAC initiatives aimed at combating corruption.

At the beginning of November, I had the privilege to attend the first cross-Africa conference of African Parliamentarians Network Against Corruption (APNAC). Under the leadership of Augustine Ruzindana (Member of Parliament for Uganda and Chair of APNAC) the conference welcomed over 100 Members of Parliament from across Africa. This conference succeeded in uniting many African national leaders and reinforcing their commitment to the fight against corruption. In March, APNAC's agenda was further advanced with its West Africa Regional Conference. Here, a number of chapter partnerships were established and important resolutions discussed to continue building a strong foundation for APNAC.

In December, I was pleased to attend the signing ceremony for the UN Convention Against Corruption

(UNCAC), in Merida, Mexico. This convention is designed to help promote good governance and the prevention of corruption on a national level. GOPAC has responded to the UNCAC by forming a UNCAC Working Group. Led by Dr. Londa Esadze (Member of Parliament, Georgia) and Senator Edgardo Angara (Member of Parliament, Philippines), the working group prepared a statement in full support of the signing, ratification, and implementation of the UNCAC. Through this united statement, GOPAC affirmed its international commitment to fighting corruption.

On May 14 in Mexico City, a cooperation agreement between the Organization of American States (OAS) and the Latin American

chapter of GOPAC, Parlamentarios Latinoamericanos contra la Corrupción (PLACC), was signed. This agreement joined these two organizations in a commitment to share resources and efforts in order to advance their mutual anti-corruption agendas. The work plan that they have developed outlines decisive actions to promote transparency and combat corruption. This cooperation agreement will be instrumental in advancing GOPAC in Latin America.

The GOPAC Secretariat, in partnership with the World Bank Institute, has produced a CD Rom which includes a comprehensive overview of GOPAC, and the fight against corruption. This material will prove invaluable in educating parliamentarians, and the civil service alike about corruption and its effects, while at the same time providing information about how corruption can be prevented. With such resources as this, encouraging the

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fight against corruption, and indeed thwarting the very occurrence of corruption, is truly a realistic goal.

Aggressive resistance is the only way to combat an aggressive foe. Corruption is rampant throughout the world and will not be stopped until strong leaders unite in opposition against it. As GOPAC continues to

attract support around the world it will grow into a force that will tackle corruption in a meaningful and substantive way.

John Williams is the Member of Parliament for St. Albert, Canada.

GOPAC REGIONAL CHAPTER AND ORGANIZATION OF AMERICAN STATES (OAS) SIGN COOPERATION AGREEMENT

GOPAC

Global Organization of
Parliamentarians Against Corruption

MEDIA RELEASE

For Immediate Release—14 May 2004

GOPAC Regional Chapter and Organization of American States (OAS) Sign Cooperation Agreement

OTTAWA, CANADA – The Chair of the Global Organization of Parliamentarians Against Corruption (GOPAC), John Williams, MP, today welcomed the signing of a cooperation agreement between GOPAC's Latin American chapter, Parlamentarios Latinoamericanos Contra la Corrupcion (PLACC), and the Organization of American States (OAS). The agreement will be signed today in Mexico City, Mexico.

“As the Chair of the Global Organization of Parliamentarians Against Corruption, it gives me great pleasure to acknowledge the signing today of the cooperation agreement between PLACC and the OAS,” said Williams. “I believe that by working together, these two organizations can help improve accountability and transparency across Latin America, and by doing so, improve the standard of living of millions of citizens of our hemisphere.”

The cooperation agreement allows both PLACC and the OAS to work together to implement national and regional activities, and to provide technical assistance to legislators across Latin America in the areas of accountability, transparency and parliamentary ethics.

“The partnership of these two organizations will lead to a powerful movement across Latin America to hold governments accountable, and eliminate corruption at all levels of government,” said Williams. “Therefore, I take this opportunity to congratulate both PLACC and the OAS for having the foresight to work together in order that millions may have a brighter and more prosperous future, through increased transparency and accountability.”

GOPAC is an organization of parliamentarians from around the world who are committed to actively fighting corruption. GOPAC has hundreds of members organized in many regional chapters around the world, including PLACC.

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Ce communiqué est disponible en français – Este comunicado está disponible en español
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NEWS FROM THE GOPAC SECRETARIAT



Since our last GOPAC newsletter, the GOPAC Secretariat has been involved in a number of initiatives with the GOPAC membership. In November, Meaghan Campbell (Program Manager, GOPAC) travelled to Nairobi, Kenya to

participate in the APNAC regional conference as well as a one-day workshop on Anti-Money Laundering (AML) and Combating the Financing of Terrorism (CFT), held in cooperation with the African Parliamentarians Network Against Corruption (APNAC) and the International Monetary Fund (IMF). The Africa Program of the Parliamentary Centre (Ottawa, Canada) funded the workshop.

The workshop was primarily an information session for African parliamentarians to learn of the reasons, impact and potential solutions to AML and CFT. Over 24 delegates from Western, Eastern and Southern Africa participated along with Mr. Roy Cullen (Chair of GOPAC's Anti Money Laundering Initiative and MP, Canada) and Mr. John Williams (Chair, GOPAC and MP, Canada). Participants determined that what was most needed in AML/CFT initiatives for parliamentarians is a more in-depth and participatory follow-up for parliamentarians from around the world to take what they have learned and apply it to a practical, action oriented and results based responses. With this in mind, Mr. Cullen will continue to work with the Secretariat in organizing and seeking funding for GOPAC's Anti-Money Laundering Initiative. For more information on this initiative you may contact the GOPAC Secretariat or, Mr. Cullen at culler@parl.gc.ca

We are also pleased to inform you that GOPAC has produced an interactive CD Rom in partnership with the World Bank Institute. The CD Rom includes video of GOPAC's founding conference (October 2003) as well as information and resources for GOPAC members and those interested in GOPAC and its work. For more information, contact the GOPAC Secretariat.

Finally, Wilton Park – an independent conference centre of the British Foreign and Commonwealth Office – together with the World Bank Institute and the Commonwealth Parliamentary Association held a conference focusing on *Financing Politics, Curbing Corruption and Parliamentary Ethics*, June 7–10, 2004. The organizers invited GOPAC to hold a Board meeting in conjunction with these meetings. The Secretariat will issue a full report of this meeting and will make it available on-line. In addition to reviewing performance and plans, the Board will be following up on issues – such as the membership of parliament – raised at the founding conference in Ottawa.

As always, we welcome your comments and input. The GOPAC Secretariat may be contacted at:

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TRINIDAD AND TOBAGO'S ANTI-CORRUPTION STRATEGY

by Senator Mary King, Trinidad & Tobago

In September 1997 the Republic of Trinidad and Tobago signed the Lima Declaration Against Corruption and in April 1998 Trinidad and Tobago ratified the Inter-American Convention Against Corruption. By these two acts the Government of Trinidad and Tobago signaled to the International Community its commitment to dealing with the menace of corruption and its intention to adopt the necessary legislative and other measures to fulfill both the letter and the spirit of the Instruments. More recently

Trinidad and Tobago has been participating fully in the Follow-up Mechanism for the implementation of the Inter-American Convention Against Corruption and in the Vienna meetings of the United Nations Ad Hoc committee for the Negotiation of a Convention against Corruption.

The two main principal pieces of anti-corruption legislation presently in force in Trinidad and Tobago are the Prevention of Corruption Act 1987 and the Integrity in Public Life 2000.

The Prevention of Corruption Act 1987 provides a sound legislative foundation for the prevention of corruption. The Act casts a wide net. Not only do public servants and local authority personnel fall within its ambit but it captures members of Cabinet, Members of Parliament, the Tobago House of Assembly, State Enterprises and any person acting on their behalf.

The Integrity in Public Life Act 2000 creates a more powerful Integrity Commission and an enforceable legislative Code of Conduct for public officers. Moreover, the Commission is now required to prepare a Register of Interest which would be open to public scrutiny in order to detect conflict of interest situations. Persons in public life are required by the Act to file a declaration, which includes particulars of income, assets and liabilities of himself, his spouse and his dependents.

The Government of Trinidad and Tobago is determined that the problem of corruption should be tackled effectively. To achieve this objective Trinidad and Tobago has been actively pursuing the improvement of national laws to increase transparency and accountability and thereby enhance the mechanism to detect, prevent and punish corrupt activity. The Government believes that transparency and accountability in government will promote integrity in public life, discourage corruption and foster confidence in the stability of democratic government. Anti-corruption laws must be strengthened to keep pace with modern situations and to more effectively deal with this most elusive type of criminal activity.

With this objective in mind the Ministry of the Attorney General has embarked upon a comprehensive review of the anti-corruption strategy for Trinidad and Tobago. This

review includes consideration of the establishment of a special independent anti-corruption agency which will be equipped to monitor and investigate allegations of corruption and initiate prosecutions in both the public and the private spheres. Recently, the Government, with the assistance of the United Nations Development Programme, invited Mr. Bertrand de Speville, former Commissioner of the Hong Kong Independent Commission Against Corruption, to advise on the development and implementation of the country's national anti-corruption strategy.

Mr. de Speville, an internationally recognized expert in the field of anti-corruption measures, was asked to prepare a project report for submission to the Government. The project report contains advice on the mechanisms to be implemented in order effectively to prevent, detect and punish corrupt activities in both the public and private sectors. In particular Mr. de Speville was asked to make recommendations with respect to the proposed Independent Anti-Corruption Commission, as well as its structure, composition, powers and functions in relation to the police, the Director of Public Prosecutions and other relevant agencies.

The Government of Trinidad and Tobago is currently reviewing the Report submitted by Mr. de Speville and will shortly produce a public consultation paper. Once public consultations have been held new anti-corruption legislation will be prepared to implement the agreed strategy.

Senator King is a member of the GOPAC Executive Committee and Interim Chairperson for the Caribbean Chapter.

FIGHTING CORRUPTION IN NORWAY

By Einar Holstad
Member of Parliament, Norway



Einar Holstad

Corruption is stealing from the community. For confidence in democracy to prevail, the fight against corruption must be intensified. According to international statistics, Norway is a country with low levels of corruption. Although we are perceived to be ahead in a global perspective, we have the lowest score among the Nordic countries. You will often hear the claim "you need to know someone" in order to achieve results in this country. In other words:

Corruption matters to us, and those who are not in a position to offer some kind of payback for advantages suffer the consequences.

As many as one in four Norwegian businesses report that they have experienced corruption as a problem over the last two years. The director of Price Waterhouse Coopers, Helge Kvamme, in a statement to the media in November 2002 said that acts of corruption are an increasing problem, and that we are likely to see a proliferation of such cases in the corporate sector if the problem is not taken seriously.

Paying individuals in power - in the private or in the public sectors - in order to gain advantages is corruption. Such advantages may include: favours, getting the bid in contract competitions, extra services and faster processing. This is a threat against free competition, against well-functioning markets, and against the public's confidence towards businesses and public authorities.

If Norway is to continue being a country with low levels of corruption, efforts are needed from more people. Businesses, NGOs, and public authorities will all have to fulfil their responsibilities and focus on both prevention and control activities.

In my judgement, all enterprises operating internationally should have internal guidelines against corruption. The possible contractual consequences following acts of corruption must be made clear for all employees. This would have a preventive and educational effect.

The police should make resources for investigating corruption a high priority. In order to uncover acts of corruption by resourceful, powerful and rich criminals, we need more qualified investigators with a multi-disciplined competence. There is also a great need for professional accountants. Following the money trail will often be the only way to track down leaders of organized crime.

Another important tool in the fight against crime is the legislation that gets put in place. During the Autumn of 2003, the Norwegian Parliament enacted several provisions against corruption. Corruption in the private and the public sector is to be adjudicated along the same lines, and grave cases of corruption may carry a penalty of up to ten years imprisonment.

...all enterprises operating internationally should have internal guidelines against corruption.

The problem of corruption is global. But it can be combated if our legislation is internationalised, and if our fighting efforts are tailor-made, on the basis of our knowledge about the nature of corruption. New, clear criminal provisions against corruption are an important step in the right direction.

Einar Holstad is a Christian Democrat Member of the Norwegian Parliament, Member of the Standing Committee on Justice and a GOPAC Member.

COMBATING CORRUPTION: THE APPROACH OF THE COUNCIL OF EUROPE

by **Christophe Speckbacher**, Legal Affairs
Department of Crime Problems, Council of Europe



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

The Council of Europe was founded in 1949 and is mostly well known for its work in the field of human rights. The Council of Europe began to work on corruption in the mid nineties, when a programme of action against corruption was adopted (1996).

Following the 2nd Summit of Heads of State and Government and the 21st Conference of European Ministers of Justice (Prague, June 1997) corruption, organised crime and the laundering of the proceeds of crime were pinpointed as new threats to the security of citizens and the foundations of democracy. As a result, action to curb and eliminate this criminality has become one of the Council of Europe's priorities. Its work in this area consists of four inter-related elements to combat corruption and the threat to democracy.

1. The fight against corruption

1.1 The Council of Europe has adopted a number of major legal instruments. Two examples of the legislation implemented are:

- Resolution (97) 24 including twenty guiding principles to fight corruption, which defines the priority activities for a comprehensive, serious and effective action against corruption: completed by the Protocol on corruption of arbitrators and jurors.
- Recommendation (2003) 4 on common rules against corruption in the funding of political parties and electoral campaigns, the aim of which is to enhance transparency of funding, establish certain limits on donations, ensure a proper control in this area etc. In parallel, an integrated project on Guidelines on the Financing of political parties and election campaigns was initiated to compile all relevant Council of Europe

standards and best practices in this field. A publication was produced in December 2003 and a series of seminars will be organised in some countries in cooperation with Transparency International.

1.2 The Groups of States against corruption (GRECO) was conceived as a flexible and efficient mechanism, to monitor, through a process of mutual evaluation and peer pressure, the observation of the Guiding Principles in the Fight Against Corruption and the implementation of international legal instruments adapted in the pursuance of the Programme of Action against Corruption.

The aim of GRECO is to improve its member's capacity to fight corruption by monitoring the compliance of States with their undertaking in this field. In this way, it contributes to identifying deficiencies and insufficiencies of national mechanisms against corruption, and to promoting the necessary legislative, institutional and practical reforms in order to better prevent and combat corruption. So far 36 states have become members of GRECO.

2. Anti-money laundering measures

In an effort to combat money laundering, the MONEYVAL Committee (formerly The Select Committee of Experts on the Evaluation of Anti-Money Laundering Measures) is a mutual evaluation and peer pressure system to review the anti-money laundering measures adopted by the Council of Europe member States. Its aim is to harmonise legal, financial, and punitive measures throughout the member states, relying on the relevant international standards for this purpose. It gives every state highly detailed recommendations on ways of optimising its anti-laundering measures. Its work is based

in particular on the Convention on laundering, search, seizure and confiscation of the proceeds from crime.

3. The fight against organised crime

Set up in 1958, the European Committee on Crime Problems (CDPC) was responsible for overseeing and coordinating the Council of Europe's activities in the field of crime prevention and crime control. They have created a Group of Specialists on organised crime, the PC-S-CO. This group has prepared annual reports on organized crime, analysing the characteristics, activities, resources, methods, geographical coverage, influence and trends of organized criminal groups operating in Europe.

In addition, the PC-S-CO, prepared a series of nine "best practice" studies on ways to combat organised crime. Subjects include witness protection programs, train legislative issues, crime analysis, telephone tapping and other forms of "intrusive surveillance" in the investigation of organised crime etc.

4. Technical co-operation

4.1 Octopus

The Octopus Programme against corruption and organised crime is another operation run by the Council of Europe. Octopus helps countries from central and eastern Europe develop European standards of targeted recommendations for action, participants and develop a network of professionals which are relevant in the fight against corruption, organised crime and money laundering.

Christophe Speckbacher, Legal Affairs, Department of Crime Problems, Council of Europe and an Executive Officer of The Groups of States Against Corruption (GRECO).

MEASURES TO PREVENT CORRUPTION IN THE THAI PARLIAMENT

By Charoen Kanthawongs
Member of Parliament, Thailand



Charoen Kanthawongs

At present, Thailand's 1997 Constitution provides effective tools to combat corruption. The anti-corruption mechanisms have been established to oversee the exercise of State power of politicians.

Upon taking or departing from office, the Prime Minister, his/her cabinet as well as Members of the House of Representatives and Senate must submit to the National Counter Corruption Commission a statement of their

assets and that of their spouse and children. If their assets have unusually increased, the President of the National Counter Corruption Commission shall send all documents, along with an inspection report to the Prosecutor General to institute an action in the Supreme Court of Justice's Criminal Division for Persons Holding Political Positions.

While in office, politicians and senior government officials are monitored by the Committee on Corruption Prevention and Suppression of the House of Representatives and the Ad-hoc Committee for Studying the Problems of Corruption Prevention and Suppression of the Senate which

have the authorities to investigate and scrutinize corruption matters. Should there be any corruption matters, the Committees of both Houses can inform such corruption to the people. This works vice versa, as the people can also participate in the monitoring of corruption by reporting the evidence of corrupt practices to the committees.

Apart from that, both Houses recently organized several seminars and meetings on anti-corruption. In the Spring of 2003, the House of Representatives and the Committee on Corruption Prevention and Suppression held the seminar on "Participation of People in Combating Corruption" both within parliament and throughout many of the provinces. The Secretariat of the House of Representatives also held a seminar on "How to Combat

Corruption in Thai Political System and Thai Bureaucracy" on March 24th, 2003.

With regard to the Senate, every month they, along with the People Network Against Corruption (PNAC), hold meetings with anti-corruption regulatory agencies such as Office of National Counter Corruption Commission, Office of Auditor General of Thailand and Office of Anti-Money Laundering. These agencies also have representatives that work jointly with the seminars held by the House of Representatives.

Mr. Kanthawongs is a Member of the House of Representatives, Thailand; a GOPAC Member and a Member of GOPAC's Board of Directors

REGIONAL CHAPTER UPDATES

The regional chapters of GOPAC work to strengthen the capacity of parliamentarians to address issues of corruption and promote good governance. The Parliamentary Centre serves as the global point of contact for GOPAC and its regional chapters.

A number of national chapters currently exist and continue to be established in countries around the world.

AFRICAN PARLIAMENTARIANS NETWORK AGAINST CORRUPTION (APNAC)

Chair: Augustine Ruzindana (MP, Uganda)

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Since the fall of 2003, the APNAC chapter has been working steadily to expand the scope of its network in the African continent. The chapter participating in the Canada/Africa Members of Parliament dialogue and held its first in a series of regional conferences, in Kenya (November, 2003). This was followed by the West African regional conference in Nigeria (March, 2004). In May, APNAC conducted meetings with the Rwandan parliament and is currently working towards its Southern and Central Africa regional meetings.

APNAC UGANDA

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Secretary: Martin Wandera
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Publicity Secretary: Sylvia Namabidde Ssinabulya
(nsinabulya@parliament.go.ug)

Treasurer: Rwakimari Beatrice
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Since October 2003, the APNAC Uganda chapter has been busy organising a number of awareness raising activities for both the public and parliamentarians. APNAC – Uganda co-organized anti-corruption week with CSO's (Oct. 26th-November 2nd) and held a workshop for Members of Parliament on Access to Information on November 28th, 2003. Mass awareness programmes were also played on radio and television. APNAC-Uganda plans to continue its activities with a workshop on a tabled bill on Access to Information in May.

APNAC ZIMBABWE

Chairperson: Willias Madzimore

Vice Chairperson: Daniel Mackenzie Ncube

Secretary: Hilda Mafudze

Vice Secretary: Renson Gasela

Treasurer: Mbalekwa

Committee Members: Trudy Stevenson, Jacob Tabane

The APNAC Zimbabwe chapter has held several meetings and is in the process of organizing a strategic planning

workshop to produce a plan of action for the year. A constitution has also been drafted for the Chapter.

ARAB REGION

Interim Chair: Dr. Naser Al Sane (MP, Kuwait)

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Dr. Al Sane has been leading the initiative to establish the Arab regional chapter of GOPAC. Together with the support of Charles Adwan (Executive Director, Lebanese Transparency Association) and the GOPAC Secretariat, Dr. Al Sane is seeking to expand the current membership from the Arab region, secure funding and establish a work plan for the group. An organizing meeting is expected by Fall 2004.

CANADIAN PARLIAMENTARIANS AGAINST CORRUPTION (CANPAC)

Due to the calling of a parliamentary election in Canada, CanPAC's activities have been suspended until the new parliament is in session.

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LATIN AMERICA PARLIAMENTARIANS AGAINST CORRUPTION (LAPAC)

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LAPAC held its Executive Committee meeting in May of 2004 in Mexico. During the course of the event, LAPAC signed a Memorandum of Understanding with the Organisation of American States, finalized a work plan and representation on the GOPAC Board.

NEWLY INDEPENDENT STATES PARLIAMENTARIANS AGAINST CORRUPTION

Chair: Volodymyr M. Stretovych

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The Newly Independent States chapter has been working towards establishing itself as an anti-corruption institution in the region. The focus of the organisation, as a result, has been on programming and policies as well as the legalization of constituent documents. In partnership with the GOPAC Secretariat, NISPAC has also been seeking funding for its future activities and operations.

NORTH EAST ASIA PARLIAMENTARIANS AGAINST CORRUPTION (NEAPAC)

Chair: Chung Sye Kyun (MP, South Korea)

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Mr. Kim Yong Hwan resigned from his position of NEAPAC Chair in early 2004. This past May, NEAPAC elected South Korean parliamentarian Chug Sye Kyun to lead the chapter as well as its national chapter, the Parliamentarians Forum Against Corruption.

SOUTH ASIA PARLIAMENTARIANS AGAINST CORRUPTION

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Since winning the recent elections in Sri Lanka, Arjuna Ranatunga has met with the Executive Director of Transparency International Sri Lanka and secured TI-SL as the interim Secretariat for the South Asian Chapter. Together, SPPAC and TI-SL plan to expand membership and design a work plan for the regional chapter.

SOUTH EAST ASIA PARLIAMENTARIANS AGAINST CORRUPTION (SEAPAC)

Interim Chair: Senator Edgardo Angara

(MP, Philippines)

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Senato Edgardo Angara has become Interim Chair of the SEAPAC chapter due to the unfortunate resignation of

Mr. Sonn Chhay (MP, Cambodia) from the position of Chair as well as from the GOPAC Board of Directors.

SOUTH PACIFIC PARLIAMENTARIANS AGAINST CORRUPTION (INCLUDING AUSTRALIA AND NEW ZEALAND)

Interim Chair: Con Sciacca (MP, Australia)

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Con Sciacca has been coordinating his efforts with Ross Robertson (MP, New Zealand) to further establish the South Pacific chapter. In addition to expanding regional membership, Mr. Sciacca has approached Transparency International Australia to be the Secretariat for the chapter.

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SOUTHEAST ASIA PARLIAMENTARIANS AGAINST CORRUPTION (SEAPAC)

Interim Chair: Senator Edgardo ANGARA

