ما مدى فعالية الاستراتيجية الوطنية لمكافحة الفساد؟

How effective is the National Anticorruption Strategy?

ACINET - Lebanon
18th-19th December 2022
Dr. Perihan Abdelghaly- PHD. MSC.BSC.

What governments want to achieve?

ما الذي تريد الحكومات تحقيقه؟

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Background

Factors: success and failure

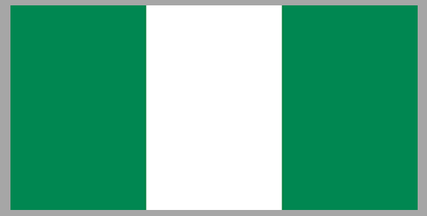
Global outlook

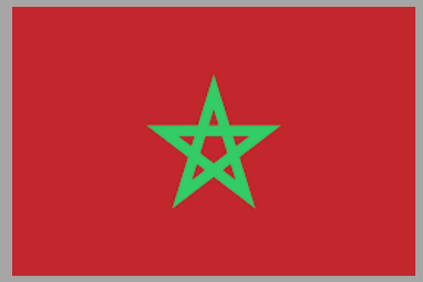
Measuring Performance

What is National Anticorruption Strategy

The National Anti-Corruption Strategy is a plan developed by the State to achieve specific goals related to preventing and fighting corruption on the short, medium, and long terms

الاستراتيجية الوطنية لمكافحة الفساد هي خطة وضعتها الدولة لتحقيق أهداف محددة تتعلق بمنع ومكافحة الفساد على المدى القصير والمتوسط والبعيد.





U.S.A 2021
Arab Region (Egypt, Iraq, Kuwait, Lebanon...etc)
Asia (Malysia, Indonsia...etc)
Europe (France, UK, Poland, Greece...)
Africa (Nigeria, Malawi, Liberia...)
Latin America (Brazil, Peru...)

Globally: 60+ Countries Developed a National Anti-Corruption Strategy

Building NACS
بناء إستراتيجية وطنية لمكافحة الفساد

.DRAFTING PROCESS
أولا - عملية الصياغة

. PRELIMINARY DIAGNOSIS AND SITUATION ANALYSIS
التشخيص الأولي وتحليل الحالة

FORMULATING ANTI-CORRUPTION MEASURES
صياغة إجراءات مكافحة الفساد.

.

ENSURING EFFECTIVE IMPLEMENTATION
ضمان التنفيذ

MONITORING, EVALUATING AND REPORTING
المراقبة والتقييم وإعداد التقارير

Key Features
سمات

Top-down mechanism
من أعلى الهرم إلى أسفله

GOV to:
- Private sector
- Civil Society
- IACA

القطاع الخاص
المجتمع المدني

Target setting & measurable goals:
Institution? Private sector? Sub-sector?
تحديد الأهداف والأهداف القابلة للقياس:
مؤسسة؟ القطاع الخاص؟ القطاع الفرعي؟

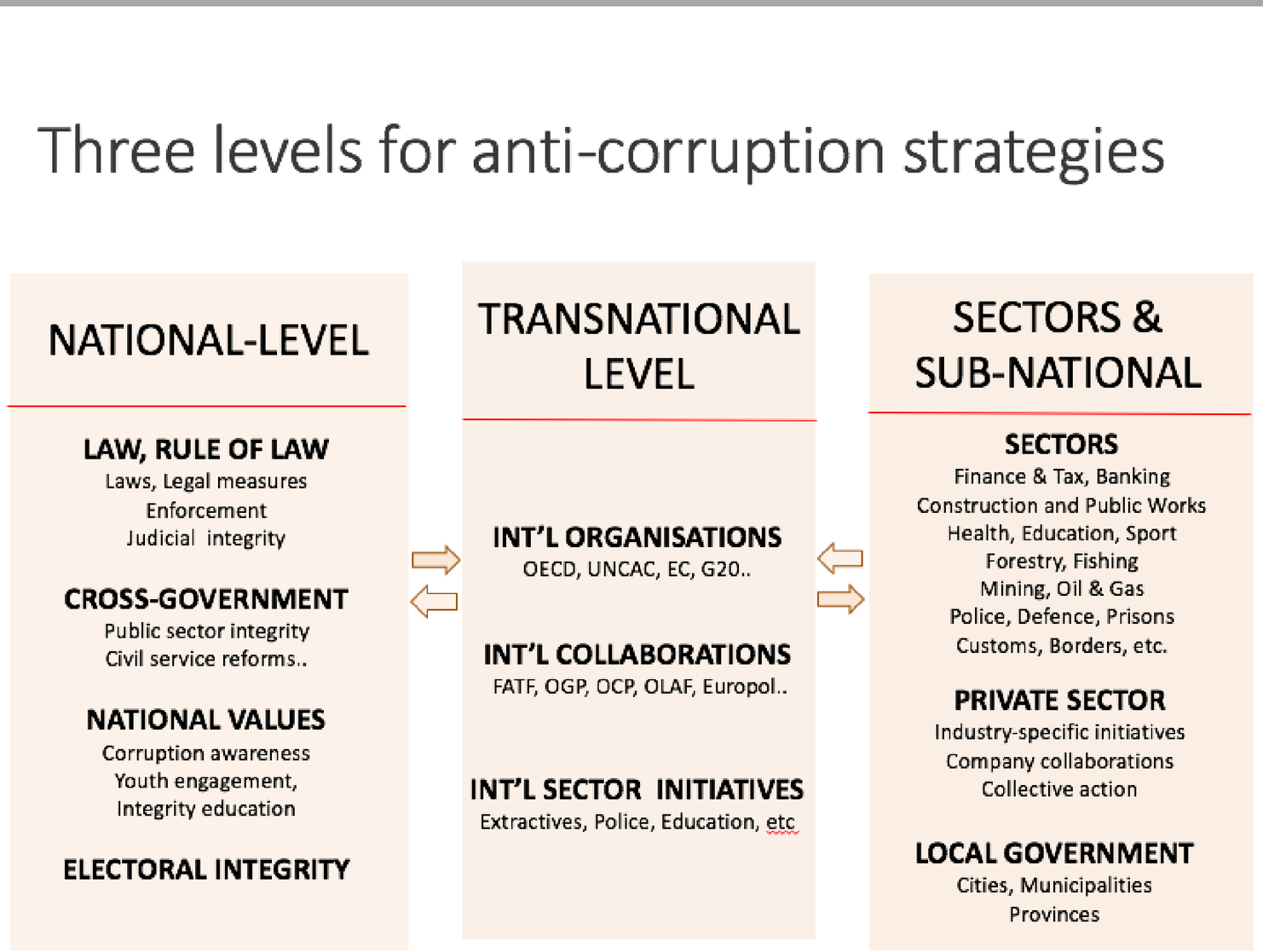
Corruption
- Political
- Bureaucratic
- Economic
- Administrative

سياسي
بيروقراطية
اقتصادي
إداري

فساد

Time bound
3-5 years
مقيدة زمنيا

ثلاثة مستويات وثمانية محاور -Three-Levels & Eight Lenses



1. Conjoin the reform measures & political tactic options
2. Dialectical challenge
3. Political regime constraints & opportunities
4. Challenge the plans
5. Skills & motivations
6. Programme management weaknesses
7. Governance weaknesses
8. Draw more from international initiatives

1 إجراءات الإصلاح وخيارات التكتيك السياسي
2. التحدي الديالكتيكي
3. قيود وفرص النظام السياسي
4. تحدي الخطط
5. المهارات والدوافع
6. ضعف إدارة البرنامج
7. ضعف الحوكمة
8. استفد أكثر من المبادرات الدولية

Responds to voices calling for equality, prosperity and social justic

يستجيب للأصوات المطالبة بالمساواة والازدهار والعدالة الاجتماعية

Rationalise Resources

ترشيد الموارد

Convey the Government accountability to improving citizens' lives and improve business ecosystem

مسؤولية الحكومة لتحسين حياة المواطنين وتحسين النظام البيئي للأعمال

WHY IS IT IMPORTANT? (1)

Building government-citizens trust

بناء الثقة بين الحكومة والمواطنين

Responds to Increasing Demand to Curb Corruption

يستجيب للطلب المتزايد للحد من الفساد

Present clear roadmap for the role of state actors and non-state actors

تقديم خارطة طريق واضحة لدور الجهات الحكومية وغير الحكومية

It is now a globally-recognized movement.

المجتمع الدولي

Sustainable Development

WHY IS IT IMPORTANT? (2)

To avoid

The Negative Impacts of Corruption

5. Corruption reduces trust in an economy. It may be harder to attract foreign investment. (FDI)
6. Corruption increases the risks of contracts not being honored, which again could impact FDI.
7. Corruption means that officials will often divert public investment into capital projects where bribes are more likely.
8. Corruption often means that officials turn a blind eye to regulations, such as those involving construction and the environment.

Evolution of Anticorruption Strategies MENA

تطور استراتيجيات مكافحة الفساد الشرق الأوسط

2008- 2021

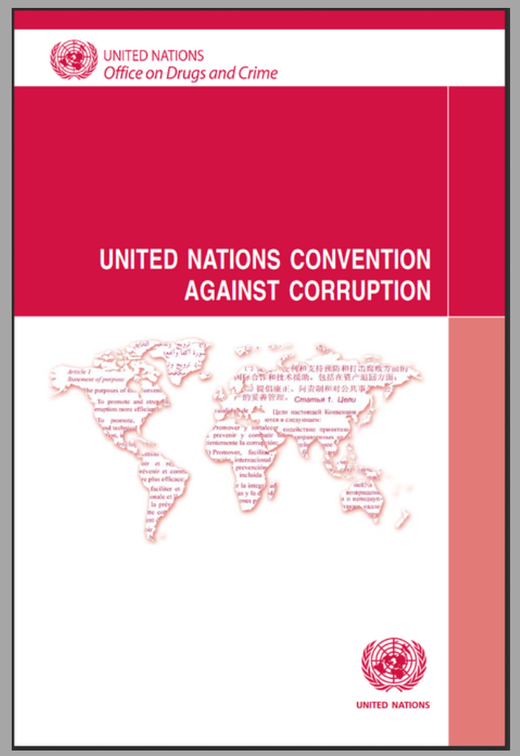
The Arab Anti-Corruption and Integrity Network (ACINET)

الشبكة العربية لتعزيز النزاهة ومكافحة الفساد

الشبكة العربية للنزاهة ومكافحة الفساد (ACINET) هي أول آلية إقليمية عربية تجمع بين الهيئات الحكومية وغير الحكومية للتشاور والتعاون لمكافحة الفساد. أُنشئت الشبكة في 30 يوليو 2008 وتضم حاليًا 48 وزارة وهيئة رسمية من 18 دولة عربية وعضوين مراقبين و "المجموعة غير الحكومية" التي تتكون من 28 منظمة مستقلة من المجتمع المدني والقطاع الخاص والأوساط الأكاديمية.

2008 - 2018

UNCAC
Articles 5
اتفاقية الأمم المتحدة لمكافحة الفساد



Article 5. Preventive anti-corruption policies and practices

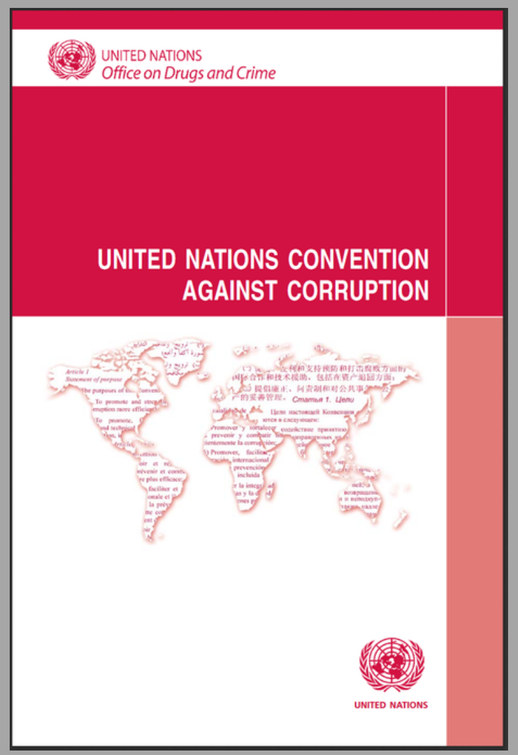
1. Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

2. Each State Party shall endeavour to establish and promote effective practices aimed at the prevention of corruption.

3. Each State Party shall endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.

4. States Parties shall, as appropriate and in accordance with the fundamental principles of their legal system, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures referred to in this article. That collaboration may include participation in international programmes and projects aimed at the prevention of corruption.

UNCAC
Articles 6
اتفاقية الأمم المتحدة
لمكافحة الفساد



Article 6. Preventive anti-corruption body or bodies

1. Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:

(a) Implementing the policies referred to in article 5 of this Convention and, where appropriate, overseeing and coordinating the implementation of those policies;

(b) Increasing and disseminating knowledge about the prevention of corruption.

2. Each State Party shall grant the body or bodies referred to in paragraph 1 of this article the necessary independence, in accordance with the fundamental principles of its legal system, to enable the body or bodies to carry out its or their functions effectively and free from any undue influence. The necessary material resources and specialized staff, as well as the training that such staff may require to carry out their functions, should be provided.

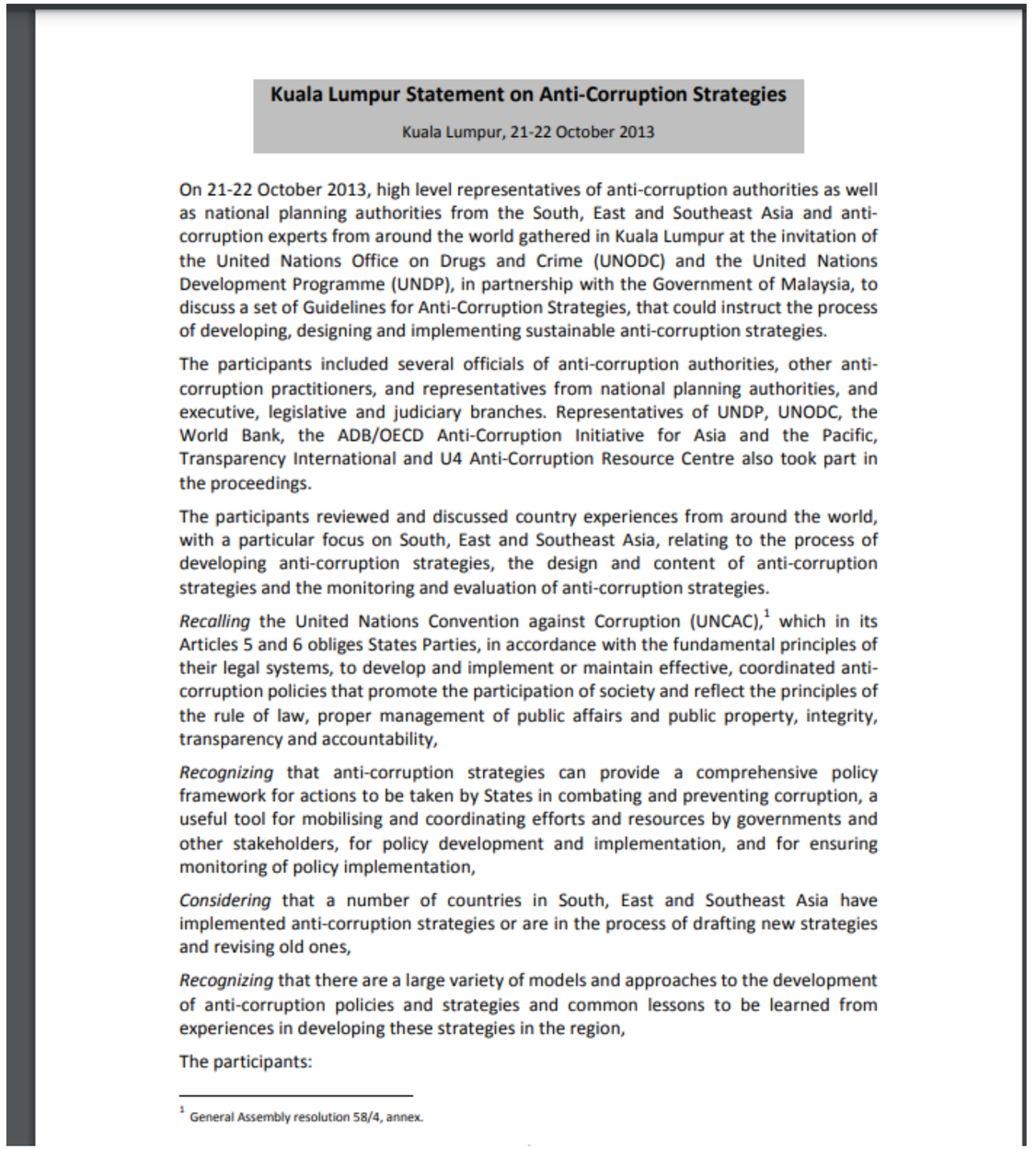
3. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other States Parties in developing and implementing specific measures for the prevention of corruption.

Kuala Lumpur Statement on Anti-Corruption Strategies

بيان كوالالمبور حول استراتيجيات مكافحة الفساد

This was an outcome of an invitation by the United Nations Office on Drugs and Crime and the United Nations Development Programme, in partnership with the Government of Malaysia, to discuss a set of Guidelines for Anti-Corruption Strategies that could instruct the process of developing, designing and implementing sustainable anti-corruption strategies

Kuala Lumpur, 21-22 October 2013



Kuala Lumpur Statement on Anti-Corruption Strategies

Kuala Lumpur, 21-22 October 2013

On 21-22 October 2013, high level representatives of anti-corruption authorities as well as national planning authorities from the South, East and Southeast Asia and anti-corruption experts from around the world gathered in Kuala Lumpur at the invitation of the United Nations Office on Drugs and Crime (UNODC) and the United Nations Development Programme (UNDP), in partnership with the Government of Malaysia, to discuss a set of Guidelines for Anti-Corruption Strategies, that could instruct the process of developing, designing and implementing sustainable anti-corruption strategies.

The participants included several officials of anti-corruption authorities, other anti-corruption practitioners, and representatives from national planning authorities, and executive, legislative and judiciary branches. Representatives of UNDP, UNODC, the World Bank, the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, Transparency International and U4 Anti-Corruption Resource Centre also took part in the proceedings.

The participants reviewed and discussed country experiences from around the world, with a particular focus on South, East and Southeast Asia, relating to the process of developing anti-corruption strategies, the design and content of anti-corruption strategies and the monitoring and evaluation of anti-corruption strategies.

Recalling the United Nations Convention against Corruption (UNCAC),[1] which in its Articles 5 and 6 obliges States Parties, in accordance with the fundamental principles of their legal systems, to develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability,

Recognizing that anti-corruption strategies can provide a comprehensive policy framework for actions to be taken by States in combating and preventing corruption, a useful tool for mobilising and coordinating efforts and resources by governments and other stakeholders, for policy development and implementation, and for ensuring monitoring of policy implementation,

Considering that a number of countries in South, East and Southeast Asia have implemented anti-corruption strategies or are in the process of drafting new strategies and revising old ones,

Recognizing that there are a large variety of models and approaches to the development of anti-corruption policies and strategies and common lessons to be learned from experiences in developing these strategies in the region,

The participants:

[1] General Assembly resolution 58/4, annex.

Conference of States Parties (COSP)

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Would you like to hear more about the UNCAC Coalition and receive monthly updates? Sign up here.

VIDEO: WHAT IS THE UNCAC?

View Larger Version
See More Videos

COALITION STATEMENTS

Below is a list linking to statements submitted by the UNCAC Coalition and its members at sessions of the Intergovernmental Review Group and Conference of States Parties:

COSP 8 – Eighth session of the Conference of States Parties, Abu Dhabi, 16-20 December 2019

- Statement submitted by Transparency International: Grand Corruption as a Major Obstacle to Achievement of the Sustainable Development Goals
- Statement submitted by Transparency International: Calling for Transparent and Accountable Asset Recovery, TI Chapter Country Reports
- Statement submitted by Transparency International: Gender and Corruption: Forms, Impact and Solutions
- Statement submitted by the UNCAC Coalition: UNCAC Review Transparency Pledge (English, French, Spanish, Russian and Arabic)
- Statement submitted by the UNCAC Coalition: Making UNCAC work
- Statement by the UNCAC Coalition: A Guide to Transparency and Participation in the UNCAC Review Mechanism (English, French, Spanish and Russian)

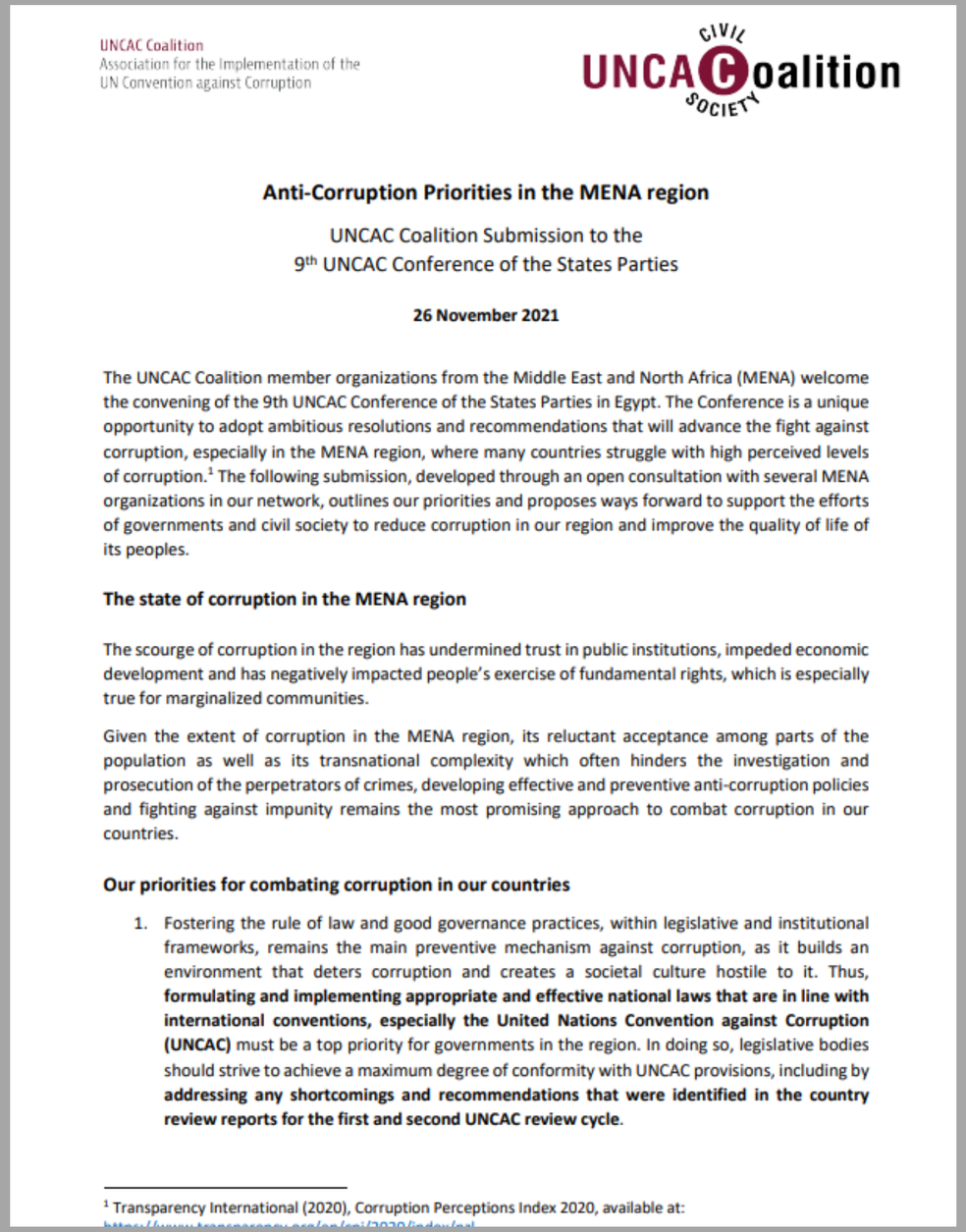
All oral statements given by the UNCAC Coalition and its members during the COSP 8 are accessible on our #COSP8 webpage.

CIVIL SOCIETY UNCAC Coalition

Conference of States Parties (COSP)

Anti-Corruption Priorities in the MENA Region

26 November 2021



UNCAC Coalition
Association for the Implementation of the UN Convention against Corruption

CIVIL SOCIETY UNCAC Coalition

Anti-Corruption Priorities in the MENA region

UNCAC Coalition Submission to the
9th UNCAC Conference of the States Parties

26 November 2021

The UNCAC Coalition member organizations from the Middle East and North Africa (MENA) welcome the convening of the 9th UNCAC Conference of the States Parties in Egypt. The Conference is a unique opportunity to adopt ambitious resolutions and recommendations that will advance the fight against corruption, especially in the MENA region, where many countries struggle with high perceived levels of corruption.[1] The following submission, developed through an open consultation with several MENA organizations in our network, outlines our priorities and proposes ways forward to support the efforts of governments and civil society to reduce corruption in our region and improve the quality of life of its peoples.

The state of corruption in the MENA region

The scourge of corruption in the region has undermined trust in public institutions, impeded economic development and has negatively impacted people's exercise of fundamental rights, which is especially true for marginalized communities.

Given the extent of corruption in the MENA region, its reluctant acceptance among parts of the population as well as its transnational complexity which often hinders the investigation and prosecution of the perpetrators of crimes, developing effective and preventive anti-corruption policies and fighting against impunity remains the most promising approach to combat corruption in our countries.

Our priorities for combating corruption in our countries

1. Fostering the rule of law and good governance practices, within legislative and institutional frameworks, remains the main preventive mechanism against corruption, as it builds an environment that deters corruption and creates a societal culture hostile to it. Thus, **formulating and implementing appropriate and effective national laws that are in line with international conventions, especially the United Nations Convention against Corruption (UNCAC)** must be a top priority for governments in the region. In doing so, legislative bodies should strive to achieve a maximum degree of conformity with UNCAC provisions, including by **addressing any shortcomings and recommendations that were identified in the country review reports for the first and second UNCAC review cycle**.

[1] Transparency International (2020), Corruption Perceptions Index 2020, available at:

what works ?

1

what doesn't work?

2

Key Success Factors (1)

1- Inclusivity to all actors
الشمولية لجميع الجهات الفاعلة

2- Political Will & leadership
الإرادة السياسية

3- Regular data collection
جمع البيانات بانتظام

4- Regular reporting & disclosure
الإبلاغ والإفصاح المنتظم

5- Clear reporting mechanism
آلية إبلاغ واضحة

6- Anchoring the strategy with national development plans
امتثال الاستراتيجية لخطط التنمية الوطنية

7- Alignment with the SDGs/International ACS
التوافق مع أهداف التنمية المستدامة

Key Success Factors (2)

9- Effective monitoring and evaluation mechanism (M&E). آلية الرصد والتقييم الفعالة

10- Solicit the views of the political opposition whenever possible. تضمين آراء المعارضة السياسية كلما أمكن ذلك.

11- Allocate sufficient time and resources
تخصيص الوقت والموارد الكافية

12 similar context experience and expertise
دراسة تجربة وخبرات مماثلة

13- Evaluate Constraints and Risks
تقييم القيود والمخاطر

14- Communication between actors
التواصل بين الجهات الفاعلة

15- Continuous research and development البحث والتطوير المستمر

HOW TO FAIL?

1- Exclude the role of non-state actors
استبعاد دور الجهات الفاعلة غير الحكومية

2- Ambiguity of goals
غموض الأهداف

3- Absence of coordination between state and non-state actors غياب التنسيق بين الجهات الحكومية وغير الحكومية

4- Lack of diagnosis and situational analysis
غياب التشخيص وتحليل الموقف

5- Measuring vs. understanding corruption

6- Complexity of the implementation framework تعقيد أطر التنفيذ

7-Unclear or no KPIs عدم وجود مؤشرات أداء رئيسية

8- limited resources موارد محدودة

NATIONAL ANTI - CORRUPTION STRATEGIES

Regional overlook

National Anti-corruption Strategy 2019-2022

Aiming at stergething integrity and transparency across state institutions

FIRST STRATEGY

10 GOALS

FOUR YEARS

PROGRESS REPORTS

Kuwait Integrity and Anti-Corruption Strategy

2019-2024

Strategy

Goals

Five Years

Progress Reports

TO PROMOTE VALUES OF INTEGRITY AND ANTI-CORRUPTION IN THE PUBLIC AND PRIVATE SECTORS AND IN THE SOCIETY AT LARGE, THEREBY CONTRIBUTING TO SUS TAINABLE DEVELOPMENT.

National Anti-corruption Strategy 2019-2022

STRATEGIES
2008-2022

GOALS

FOUR YEARS

Progress reports

Aiming at strengthening integrity and transparency across state institutions

NATIONAL STRATEGY FOR INTEGRITY AND ANTI-CORRUPTION 2008-2013 AND 2013-2017 AND 2017-2025

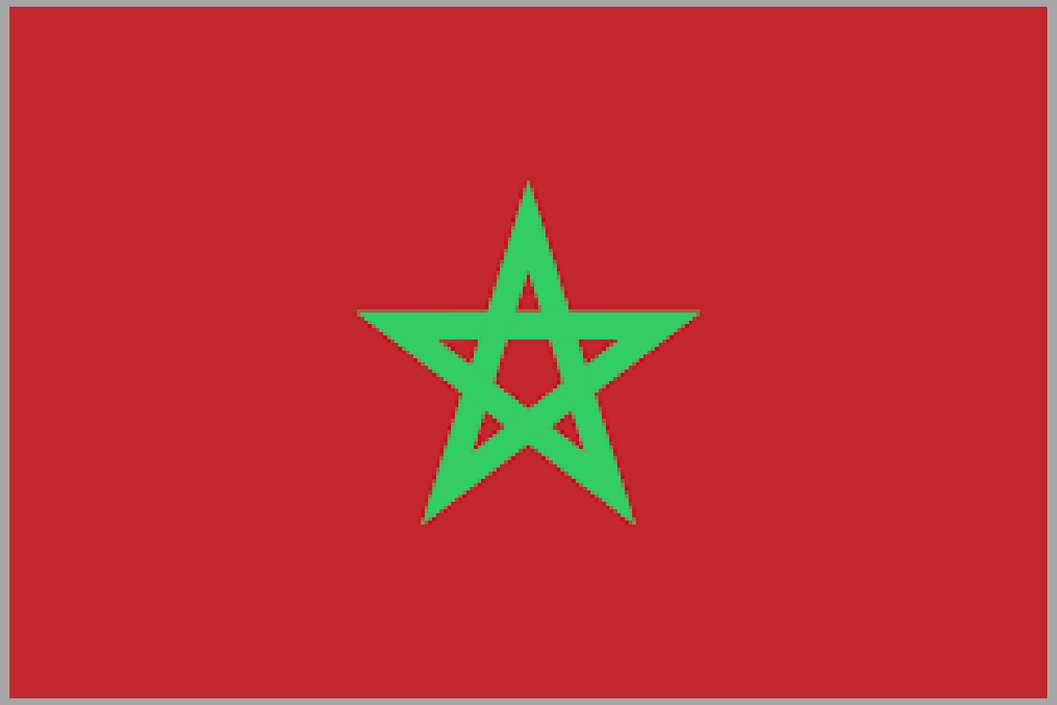
THREE STRATEGIES
FIRST STRATEGY 2008-2013: 5 YEARS
SECOND 2013-2017: 4 YEARS
THIRD STRATEGY 2017-2025: 8 YEARS

GOALS

A national environment that upholds integrity, and rejects corruption

PROGRESS REPORTS

NATIONAL STRATEGY FOR THE FIGHT AGAINST CORRUPTION 2016



2005 and 2010: National anti-corruption programmes
2013: Anticorruption Initiatives
2017: The National Anti-Corruption Commission
2013 : First step towards reporting
2016: First National Anticorruption Strategy

These policy orientations were reflected in the preparation of national anti-corruption programmes in 2005 and 2010, the ratification of the United Nations Convention against Corruption in 2007 and a number of legal and institutional reforms.

DFID Anticorruption Strategy for Sundan 2013

Department for International Development

UKaid
from the British people

DFID's Anti-Corruption Strategy for Sudan

January 2013

Introduction

1. Corruption can broadly be defined as the abuse of entrusted power for private gain. The word can cover a whole range of abuses. On one level it can refer to the risk of taxpayers' money in DFID programmes being fraudulently spent or stolen. On another level it can refer to corruption within a country and its institutions, with the negative impact that this has on development prospects. DFID sets the highest standards for the manner in which its own money is spent. Through its development programmes, DFID also works to reduce the prevalence of corruption in each of its partner countries.

2. In November 2011, the **Independent Commission on Aid Impact** (ICAI) reviewed DFID's approach to tackling corruption. It found that DFID had a good awareness of the fraud risks and seeks to safeguard UK funds through appropriate choices of funding channels and programme design, and often played a leading role within the donor community on anti-corruption work. It did however recommend that in any country assessed as having a high

Measuring Performance

SOMETHING HAS TO CHANGE ?

شيء ما يجب أن يتغير

Monitor and Evaluation

المراقبة والتقييم

Successful Models

Best Practice in UNCAC Review Transparency

The following countries have voluntarily published their:

- **Full country report**: Botswana, Burkina Faso, Cape Verde, Eswatini, Kenya, Mauritius, Mozambique, Nigeria, South Africa, Tanzania
- **Self-assessment checklist**: Mauritius, Nigeria

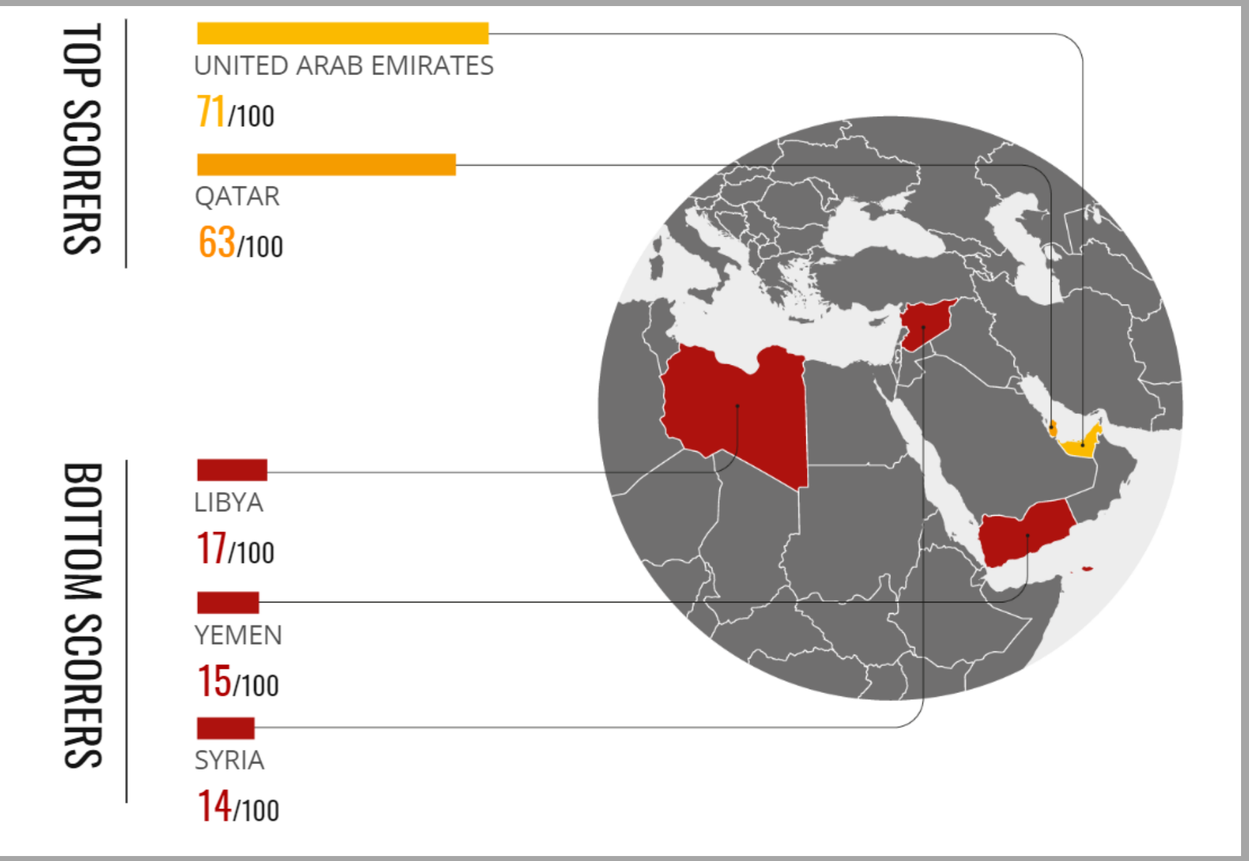
Context

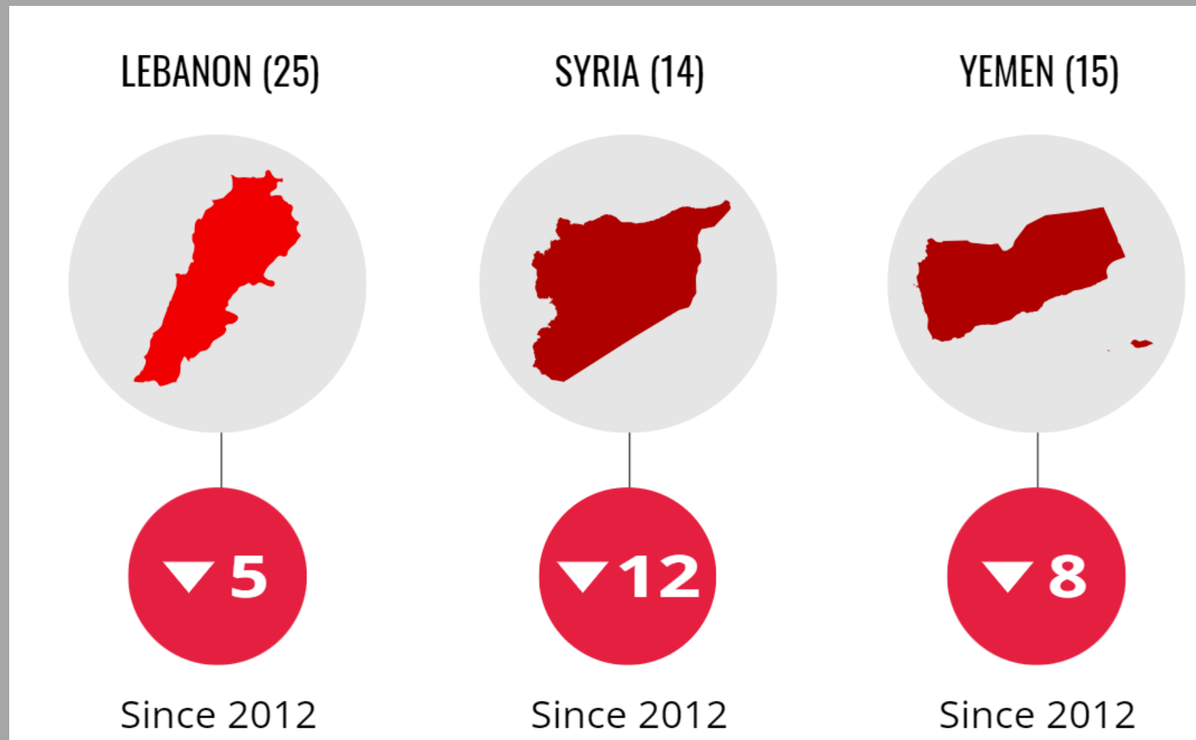
Example of the KPIs

	Estonia	Poland	Bulgaria
Economic Reform	Quick transition to liberal marked economy Political consensus on goal and pace of transition	Quick initial phase of transition to liberal marked economy Lack of consensus on reforms: following phases characterized by stop-go policy	External pressure for economic reform Lack of consensus on transition: gradual and slow transition.
Anti-corruption legislation and institutions	Have not signed UN convention No anti-corruption agency. Anti-corruption program lead by the Ministry of Justice	Ratified UN convention Anti-corruption agency established 2006	Ratified UN convention Several anti-corruption agencies. Division of competences unclear Latest agency established in 2008
Judicial system	Well functioning Increasing trust among population	Well functioning Increasing trust among population	Marked by corruption and political interference Lack of trust among population
Influence on norms	Broad based public campaigns and the stress of particular Estonian values	Targeted public campaigns and political usage of corruption	Targeted public campaigns and political usage of corruption

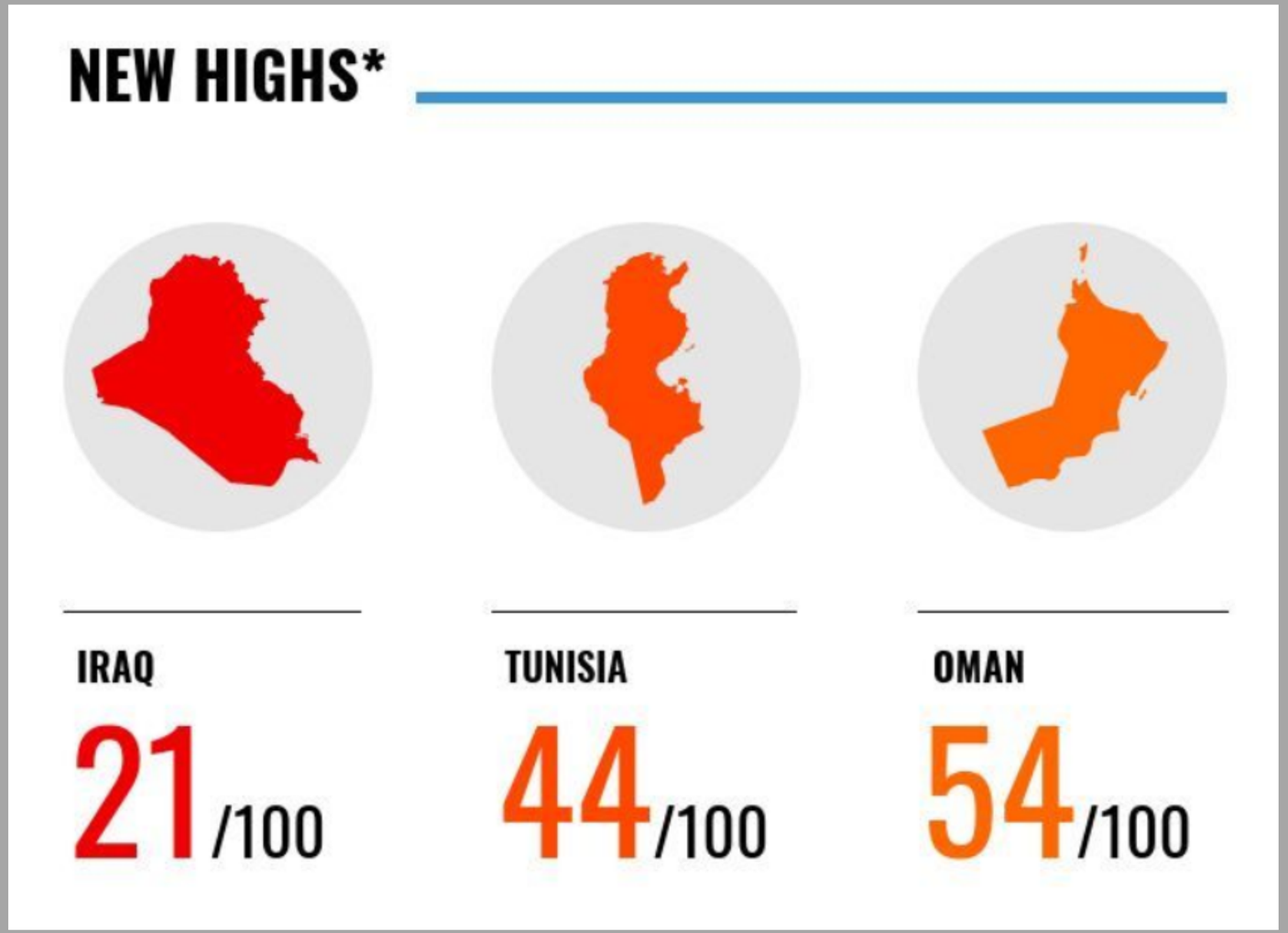
Authors' summary of the analysis

TI-CPI 2019-2020 (1)





TI-CPI 2019-2020 (2)



Room For Improvement

مجال للتحسين

Reporting Back

Monitor and evaluation framework

CPI is a lie (mistake)

SMART objectives/KPIs

Baselines and targets

Perception + indicators + Experience (different types of KPIs)

Qual & Qan

Different methods of data collection

Q&As?