

## Statement of the United Nations Development Programme

### 6th Annual Conference and General Meeting of the International Association of Anti-Corruption Authorities

Kuala Lumpur, Malaysia, 4-7 October 2012



*Empowered lives.  
Resilient nations.*

Statement Delivered by Arkan EL SEBLANI,  
Manager, Regional Project on Anti-Corruption  
and Integrity in Arab Countries (ACIAC), United  
Nations Development Programme (UNDP)

05 October 2012, Kuala Lumpur, Malaysia

**Excellencies,**

**Distinguished participants,**

**My colleague panelists,**

**Good afternoon!**

I am pleased to join you in attending the 6th Annual Conference and General Meeting of the International Association of Anti-Corruption Authorities, which is taking place in the beautiful, and inspiring city of Kuala Lumpur.

On behalf of the United Nations Development Programme, please allow me to thank IAACA, the Government of Malaysia and the Malaysian Anti-Corruption Commission for the kind invitation and the warm hospitality.

**Mr. Chairperson,**

I am standing here today to represent UNDP, an organization which works in more than 177 countries across the world, in the Asia and the Pacific, in Africa, in Latin America and the Caribbean, in Eastern Europe and the CIS, and last but not least, in the Arab states. The last, I have the honor of also representing here today in my capacity as the manager of the Arab

states regional anti-corruption programme, which I am proud to say is the largest regional programme in the UN system dedicated to anti-corruption cooperation and assistance.

To add to my challenge this afternoon, excellencies and distinguished participants,

I am also expected to convey to you an update about UNDP's anti-corruption work; work which has more than twenty years of history, and which recently has become more developed and more concentrated, thanks in part to a growing partnership with our colleagues at the UN Office on Drugs and Crime.

I will not be fair to UNDP, neither to you, nor to the limited time I have here on this podium if I allow myself to delve into this extensive and expansive sea of information.

Especially, that I would also like to talk to you briefly about some key ideas and lessons learned pertaining to the subject matter of this plenary, which is income and asset declarations, without duplicating the excellent remarks made by my colleagues on the panel today.

But before I get to that, I wish to convey to you three key points that perhaps can summarize UNDP's approach and current work on anti-corruption, which is anchored in the UN convention against corruption, and in our mandate to promote democratic governance and achieve human development.

- We believe that corruption is a symptom of weak governance systems. And that confronting it requires a **holistic and participatory** approach, and although we focus more on prevention, given our extensive long-standing engagement in this area, we also often find ourselves, responding to requests from our partner countries to provide them with assistance in other anti-corruption areas. A recent example is our work to build capacities in forensic financial investigations, with a recent regional training provided to African countries in Zimbabwe, and various other activities including with the Malaysia Anti-Corruption Academy here in Kuala Lumpur. It is for this reason perhaps that we currently have more than 60 ongoing anti-corruption initiatives across the world, and have fruitful and active partnerships with more than 100 anti-corruption authorities, including specialized agencies, ombudsmen, ministries of justice, and many others. I can see many of them present in this room today.
- UNDP also believe in the intrinsic value of peer learning and the continuous sharing of experience and expertise across borders. For this reason, we actively promote **south-south cooperation**, and are proud to be supporters of various regional networks, which act as vehicles for information exchange and better coordinated frameworks for technical assistance - the theme of our conference. These networks include the Asia-

Pacific Integrity in Action (INTACT), which many of you receive its emails and valuable knowledge updates. They also include the Arab Anti-Corruption and Integrity Network (ACINET), whose Chairman, HE Mr. Abdessalam ABOUDRAR is present with us here today. ACINET is represented in this conference with more than 20 delegates from Egypt, Iraq, Jordan, Morocco, the Palestinian Authority, Qatar, Saudi Arabia, Tunisia, and Yemen, including ministerial level delegates and other senior officials.

- UNDP also believes that supporting linkages between **anti-corruption and development** is not just a slogan, but rather a concrete and long-term commitment to capacity development, social accountability, and democratic governance. It is achievable through various means. One of which is supporting anti-corruption initiatives in key vulnerable sectors, especially sectors that deliver basic public services such as health, water, and education. Many of you are familiar with our work in this area. They have inspired us and helped to make this work a reality on the ground in more than 20 countries today .... and still counting.

### **Excellencies, ladies and gentlemen ...**

I will stop here and turn to the important topic of income and asset declarations mentioned in article 8 of the UN Convention against Corruption (UNCAC), and also in article 9, in terms of declaration of interests by personnel responsible for procurement.

A cornerstone without doubt in the effort to prevent, and even combat, corruption, especially when linked to illicit enrichment laws as required in article 20 of the UNCAC.

Almost all countries have some form of income, asset, and even interest declaration systems; however, the experience in benefiting from these systems, and making them indeed useful to the fight against corruption, is relatively limited.

Not to go very far, I will use the example of my own country Lebanon, where all officials are expected to make such declarations, however, these declarations, when made, are sealed into envelopes without validation, and cannot be opened unless instructed by a panel of judges who would need to make its decision based on the validity of available evidence of corrupt practices. Declarations are collected through numerous structures, I am told more than 18, and then archived in the central bank.

End of story ...

**Mr. Chairman**

If we were in a workshop, I would have stopped now, and asked the audience, what is wrong with this story?

But we are not in a workshop ... so I proceed.

What is the wrong with this story?

Putting diplomacy aside, just for a moment, I would say almost everything ... everything is wrong.

First, all officials are supposed to declare without any further qualification and differentiation based in level and vulnerability to corruption.

Second, officials are only expected to declare one time when they enter the position, and one time when they leave it.

Third, the declarations are absolutely confidential, which does not allow for any form of validation or reasonable access by investigators, let alone enabling unhindered citizen access to this information.

Fourth, there is no clear and streamlined way of collecting and making use of these declarations for prevention purposes, and no centralized agency that can have powers to obtain information and develop the internal capacity to advise public officials and act as needed.

Fifth, the declaration only covers limited types of assets, and does not expand to cover interest.

And the list goes on ...

The result?

Despite the existence of an illicit enrichment law in Lebanon since the 1950s, tied to the asset declaration system, described a few seconds ago, not a single conviction has been attained!

The Lebanese experience is not unique, but offers a story to tell on the discrepancy between a law on the books and its usefulness in practice.

I am pleased to report, however, that the country has recently made the important and courageous realization that a change is in order. And as we speak, a new draft law is being discussed in parliament on this matter in the framework of a broader illicit enrichment law.

By telling this story, I do not wish to say that there is only one way to develop and implement income, asset, and interest declaration systems; but rather it is to encourage a revision of

existing systems, that predate the renewed global impetus to prevent corruption, and which in some measures may be outdated or may be insufficient given the new technological advancements and other emerging circumstances, including for example the recent surge in public demand for more transparency in the wake of the Arab spring.

A valuable report on this important topic was developed and presented at the third session of the Working Group on Prevention organized by UNODC in Vienna a little bit more than a month ago. It offers valuable guidance on country experiences.

UNDP has worked for years with different countries across the globe on public administration reform projects and various accountability, transparency, and integrity initiatives. Its vast experience is also at your disposal.

Other bi-lateral and multi-lateral development partners can also provide valuable assistance in this regard, and I refer to the World Bank for example, who is represented here on the panel with us today; but perhaps, ladies and gentlemen, your most important resource remains yourselves, the members of this global association - IAACA, an association which holds great promise and requires more effort to help this promise to materialize.

On this note, I would like to come to my concluding thought.

And I have to admit; this thought has been inspired by my dear colleague, Mr. Dimitri VLASSIS, who said yesterday in the opening ceremony, that he had the honor of witnessing the birth of IAACA and now he is proud to see it transition into adulthood. Like many of you, I am happy to say the same. Indeed, we all share this pride and value the important work that has been done so far. We also look forward to a perpetual period of adulthood filled with success and resounding achievements. A period which starts, as it is starting for IAACA in this conference, with important decisions that need to be made, decisions that would help IAACA focus its efforts and move closer to its promise of a truly global vehicle for knowledge sharing and joint action on anti-corruption.

I wish you all the luck in making those decisions; and on behalf of UNDP, I express our readiness to continue supporting the efforts of IAACA members in their respective countries as they work to advance national efforts to prevent and combat corruption.

Once again, my most sincere appreciation and gratitude to the hosts and organizers, and my most sincere thanks to all of you for your close attention.

Thank you Mr Chairman.

\*\*\*