

ADB-OECD Anti-Corruption Initiative for Asia-Pacific
COMBATING CORRUPTION IN THE NEW MILLENNIUM

ANTI-CORRUPTION ACTION PLAN FOR ASIA AND THE PACIFIC



**ANTI-CORRUPTION
ACTION PLAN
FOR ASIA AND THE PACIFIC**

with

COUNTRY ENDORSING STATEMENTS

Asian Development Bank
Organisation for Economic Co-operation and Development

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Foreword

Governments and the public at large are increasingly aware that corruption is a serious obstacle to social stability and economic growth. The experience of Asia, in particular during the financial crisis in the late 1990s, demonstrates that corruption can harm the economy, undermine the rule of law, and weaken public trust in government. To support governments in their anticorruption efforts, ADB and OECD established the ADB-OECD Anti-Corruption Initiative for Asia-Pacific in 1999. The Initiative brings together all social partners involved in the fight against corruption in Asia and the Pacific, and the international community.

The Anti-Corruption Action Plan for Asia and the Pacific is a concrete outcome of this Initiative. Twenty-five countries from the Asian and Pacific region have endorsed it since its initial launching at the Initiative's third annual conference in Tokyo on 30 November 2001. It is based on the countries' common goal to engage in a coordinated, systematic, and enforceable approach to combating corruption and to work together in this endeavour.

The Action Plan aims at attacking corruption both from the "supply side"—the sources of corrupt funds and the "demand side"—the recipients of these. By triggering legal and institutional anti-corruption reform, and through its implementation mechanism providing for regular review, self and mutual assessment of progress and instruments for capacity development, it brings about sustainable changes in Asian and Pacific countries' fight against corruption. It also fosters close cooperation within the region and with the international community to ensure the sustainability of implementation. We congratulate the governments of the region for this unprecedented step and for the excellent collaboration which has made this Action Plan possible. We encourage countries of Asia and the Pacific to pursue their efforts, which are vital for the future of the region, and reiterate our readiness to help and accompany them on this difficult but important path.



Haruhiko Kuroda
President
ADB



Donald J. Johnston
Secretary-General
OECD

**ANTI-CORRUPTION
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FOR ASIA AND THE PACIFIC**

Preamble¹

WE, governments of the Asia-Pacific region, building on objectives identified at the Manila Conference in October 1999 and subsequently at the Seoul Conference in December 2000;

CONVINCED that corruption is a widespread phenomenon which undermines good governance, erodes the rule of law, hampers economic growth and efforts for poverty reduction, and distorts competitive conditions in business transactions;

ACKNOWLEDGING that corruption raises serious moral and political concerns and that fighting corruption is a complex undertaking and requires the involvement of all elements of society;

CONSIDERING that regional cooperation is critical to the effective fight against corruption;

RECOGNIZING that national anti-corruption measures can benefit from existing relevant regional and international instruments and good practices such as those developed by the countries in the region, the Asian Development Bank (ADB), the Asia-Pacific Economic Cooperation (APEC), the Financial Action Task Force on Money Laundering (FATF), the Organisation for Economic Co-operation and Development (OECD), the Pacific Basin Economic Council (PBEC), the United Nations and the World Trade Organization (WTO)²;

CONCUR, as governments of the region, in taking concrete and meaningful priority steps to deter, prevent and combat corruption at all levels, without prejudice to existing international commitments and in accordance with our jurisdictional and other basic legal principles;

WELCOME the pledge of representatives of the civil society and the business sector to promote integrity in business and in civil society activities and to support the governments of the region in their anti-corruption effort;

WELCOME the pledge made by donor countries and international organizations from outside and within the region to support the countries of the region in their fight against corruption through technical cooperation programmes.

1 The Action Plan, together with its implementation plan, is a legally non-binding document which contains a number of principles and standards towards policy reform which interested governments of the region politically commit to implement on a voluntary basis.

2 In particular: the 40 Recommendations of the FATF as supported by the Asia/Pacific Group on Money Laundering, the Anti-Corruption Policy of ADB, the APEC Public Procurement Principles, the Basel Capital Accord of the Basel Committee on Banking Supervision, the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the Revised Recommendation, the OECD Council Recommendation on Improving Ethical Conduct in the Public Service, the OECD Principles on Corporate Governance, the PBEC Charter on Standards for Transactions between Business and Government, the United Nations Convention on Transnational Organized Crime and the WTO Agreement on Government Procurement.

Pillars of Action

In order to meet the above objectives, participating governments in the region endeavour to take concrete steps under the following three pillars of action with the support, as appropriate, of ADB, OECD, and other donor organizations and countries:

PILLAR 1—DEVELOPING EFFECTIVE AND TRANSPARENT SYSTEMS FOR PUBLIC SERVICE

Integrity in Public Service

Establish systems of government hiring of public officials that assure openness, equity, and efficiency and promote hiring of individuals of the highest levels of competence and integrity through:

- Development of systems for compensation adequate to sustain appropriate livelihood and according to the level of the economy of the country in question;
- Development of systems for transparent hiring and promotion to help avoid abuses of patronage, nepotism, and favoritism, help foster the creation of an independent civil service; and help promote a proper balance between political and career appointments;
- Development of systems to provide appropriate oversight of discretionary decisions and of personnel with authority to make discretionary decisions; and
- Development of personnel systems that include regular and timely rotation of assignments to reduce insularity that would foster corruption.

Establish ethical and administrative codes of conduct that prescribe conflicts of interest, ensure the proper use of public resources, and promote the highest levels of professionalism and integrity through:

- Prohibitions or restrictions governing conflicts of interest;
- Systems to promote transparency through disclosure and/or monitoring of, for example, personal assets and liabilities;
- Sound administration systems which ensure that contacts between government officials and business services users, notably in the area of taxation, customs and other corruption-prone areas, are free from undue and improper influence;
- Promotion of codes of conduct taking due account of the existing relevant international standards as well as each country's traditional cultural standards, and regular education, training and supervision of officials to ensure proper understanding of their responsibilities; and
- Measures which ensure that officials report acts of corruption and which protect the safety and professional status of those who do.

Accountability and Transparency

Safeguard accountability of public service through effective legal frameworks, management practices, and auditing procedures through:

- Measures and systems to promote fiscal transparency;
- Adoption of existing relevant international standards and practices for regulation and supervision of financial institutions;
- Appropriate auditing procedures applicable to public administration and the public sector, and measures and systems to provide timely public reporting on performance and decision making;
- Appropriate transparent procedures for public procurement that promote fair competition and deter corrupt activity, and adequate simplified administration procedures;
- Enhancing institutions for public scrutiny and oversight;
- Systems for information availability including on issues such as application processing procedures, funding of political parties and electoral campaigns and expenditure; and
- Simplification of the regulatory environment by abolishing overlapping, ambiguous or excessive regulations that burden business.

PILLAR 2—STRENGTHENING ANTI-BRIBERY ACTIONS AND PROMOTING INTEGRITY IN BUSINESS OPERATIONS

Effective Prevention, Investigation, and Prosecution

Take effective measures to actively combat bribery by:

- Ensuring the existence of legislation with dissuasive sanctions which effectively and actively combat the offence of bribery of public officials;
- Ensuring the existence and effective enforcement of anti-money laundering legislation that provide for substantial criminal penalties for the laundering of the proceeds of corruption and crime consistent with the law of each country;
- Ensuring the existence and enforcement of rules to ensure that bribery offences are thoroughly investigated and prosecuted by competent authorities; these authorities should be empowered to order that bank, financial or commercial records be made available or be seized and that bank secrecy be lifted;
- Strengthening of investigative and prosecutorial capacities by fostering inter-agency cooperation, by ensuring that investigation and prosecution are free from improper influence and have effective means for gathering evidence, by protecting those persons helping the authorities in combating corruption, and by providing appropriate training and financial resources; and
- Strengthening bilateral and multilateral cooperation in investigations and other legal proceedings by developing systems which—in accordance with domestic legislation—enhance (i) effective exchange of information and evidence, (ii) extradition where expedient, and (iii) cooperation in searching and discovering of forfeitable assets as well as prompt international seizure and repatriation of these forfeitable assets.

Corporate Responsibility and Accountability

Take effective measures to promote corporate responsibility and accountability on the basis of existing relevant international standards through:

- Promotion of good corporate governance which would provide for adequate internal company controls such as codes of conduct, the establishment of channels for communication, the protection of employees reporting corruption, and staff training;

- The existence and the effective enforcement of legislation to eliminate any indirect support of bribery such as tax deductibility of bribes;
- The existence and thorough implementation of legislation requiring transparent company accounts and providing for effective, proportionate and dissuasive penalties for omissions and falsifications for the purpose of bribing a public official, or hiding such bribery, in respect of the books, records, accounts and financial statements of companies; and
- Review of laws and regulations governing public licenses, government procurement contracts or other public undertakings, so that access to public sector contracts could be denied as a sanction for bribery of public officials.

PILLAR 3—SUPPORTING ACTIVE PUBLIC INVOLVEMENT

Public Discussion of Corruption

Take effective measures to encourage public discussion of the issue of corruption through:

- Initiation of public awareness campaigns at different levels;
- Support of non-government organizations (NGOs) that promote integrity and combat corruption by, for example, raising awareness of corruption and its costs, mobilizing citizen support for clean government, and documenting and reporting cases of corruption; and
- Preparation and/or implementation of education programs aimed at creating an anti-corruption culture.

Access to Information

Ensure that the general public and the media have freedom to receive and impart public information and in particular information on corruption matters in accordance with domestic law and in a manner that would not compromise the operational effectiveness of the administration or, in any other way, be detrimental to the interest of governmental agencies and individuals, through:

- Establishment of public reporting requirements for justice and other governmental agencies that include disclosure about efforts to promote integrity and accountability and combat corruption; and
- Implementation of measures providing for a meaningful public right of access to appropriate information.

Public Participation

Encourage public participation in anti-corruption activities, in particular through:

- Cooperative relationships with civil society groups such as chambers of commerce, professional associations, NGOs, labor unions, housing associations, the media, and other organizations;
- Protection of whistle-blowers; and
- Involvement of NGOs in monitoring public sector programmes and activities.

Implementation

In order to implement these three pillars of action, participating governments of the region concur with the attached Implementation Plan and will endeavor to comply with its terms.

Participating governments of the region further commit to widely publicize the Action Plan throughout government agencies and the media and, in the framework of the steering group meetings, to meet and to assess progress in the implementation of the actions contained in the Action Plan.

Implementation Plan

INTRODUCTION

The Action Plan contains legally nonbinding principles and standards towards policy reform which participating governments of the Asia-Pacific region (hereinafter: participating governments) voluntarily commit to implement in order to combat corruption and bribery in a coordinated and comprehensive manner and thus contribute to development, economic growth, and social stability. Although the Action Plan describes policy objectives that are currently relevant to the fight against corruption in Asia and the Pacific, it remains open to ideas and partners. Updates of the Action Plan will be the responsibility of the Steering Group.

This section describes the implementation of the Action Plan. Taking into account national conditions, implementation will draw upon existing instruments and good practices developed by countries of the region and international organizations such as the Asian Development Bank (ADB), the Asia-Pacific Economic Co-operation (APEC), the Organisation for Economic Co-operation and Development (OECD), and the United Nations.

CORE PRINCIPLES OF IMPLEMENTATION

The implementation of the Action Plan will be based upon two core principles: (i) establishing a mechanism by which overall reform progress can be promoted and assessed; and (ii) providing specific and practical assistance to governments of participating countries on key reform issues.

The implementation of the Action Plan will thus aim at offering participating countries regional and country-specific policy and institution-building support. This strategy will be tailored to policy priorities identified by participating countries and provide means by which participating countries and partners can assess progress and measure the achieved results.

Identifying Country Priorities

While the Action Plan recalls the need to fight corruption and lays out overall policy objectives, it acknowledges that the situation in each country of the region may be specific.

To address these differences and target country-specific technical assistance, each participating country will endeavour, in consultation with the Secretariat of the Initiative, to identify priority reform areas which would fall under any of the three pillars, and aim to implement these in a workable time frame.

The first consultation on these priorities will take place in the framework of the Tokyo Conference, immediately after the formal endorsement of the Action Plan. Subsequent identification of target areas will be done in the framework of the periodical meetings of the Steering Group that will be set up to review progress in the implementation of the Action Plan's three pillars.

Reviewing Progress in the Reform Process

Real progress will primarily come from the efforts of the governments of each participating country supported by the business sector and civil society. In order to promote emulation, increase country responsibilities, and target bilateral and international technical assistance, a mechanism will be established by which overall progress can be promoted and reviewed.

The review process will focus on the priority reform areas selected by participating countries. In addition, there will be a thematic discussion dealing with issues of specific, cross-regional importance as identified by the Steering Group.

Review of progress will be based on self-assessment reports by participating countries. The review process will use a procedure of plenary review by the Steering Group to take stock of each country's implementation progress.

Providing Assistance to the Reform Process

While governments of participating countries have primary responsibility for addressing corruption-related problems, the regional and international community as well as civil society and the business sector have a key role to play in supporting countries' reform efforts.

Donor countries and other assistance providers supporting the Action Plan will endeavour to provide the assistance required to enhance the capacity of participating countries to achieve progress in the priority areas and to meet the overall policy objectives of the Action Plan.

Participating governments of the region will endeavour, in consultation with the Initiative's Secretariat, to make known their specific assistance requirements in each of the selected priority areas and will co-operate with the assistance providers in the elaboration, organization and implementation of programmes.

Providers of technical assistance will support participating governments' anti-corruption efforts by building upon programmes and initiatives already in place, avoiding duplications and facilitating, whenever possible, joint ventures. The Secretariat will continue to support this process through the Initiative's web site (www.oecd.org/corruption/asiapacific) which provides information on existing and planned assistance programmes and initiatives.

MECHANISMS

Country Representatives

To facilitate the implementation of the Action Plan, each participating government in the region will designate a contact person. This government representative will have sufficient authority as well as adequate staff support and resources to oversee the fulfilment of the policy objectives of the Action Plan on behalf of his/her government.

Regional Steering Group

A Steering Group will be established and meet back-to-back with the Initiative's annual conferences to review progress achieved by participating countries in implementing the Action Plan. It will be composed of the government representatives and national experts on the techni-

cal issues discussed during the respective meeting as well as representatives of the Initiative's Secretariat and Advisory Group (see below).

The Steering Group will meet on an annual basis and serve three main purposes: (i) to review progress achieved in implementing each country's priorities; (ii) to serve as a forum for the exchange of experience and for addressing cross-regional issues that arise in connection with the implementation of the policy objectives laid out in the Action Plan; and (iii) to promote a dialogue with representatives of the international community, civil society, and the business sector in order to mobilize donor support.

Consultations in the Steering Group will take place on the day preceding the Initiative's annual meeting. This shall allow the Steering Group to report on progress achieved in the implementation of the policy objectives laid out in the Action Plan, present regional good practices and enlarge support for anti-corruption efforts among ADB regional member countries.

Secretariat

The ADB and the OECD will act as the Secretariat of the Initiative and, as such, carry out day-to-day management. The role of the Secretariat also includes providing assistance to participating governments in preparing their self-review reports. For this purpose, in-country missions by the Secretariat will be organized when necessary.

Advisory Group

The Secretariat will be assisted by an informal Advisory Group whose responsibility will be to help mobilize resources for technical assistance programmes and advise on priorities for the implementation of the Action Plan. The Group will be composed of donor countries and international donor organizations as well as representatives of civil society and the business sector, such as the Pacific Basin Economic Council (PBEC) and Transparency International (TI), actively involved in the implementation of the Action Plan.

Funding

Technical assistance programmes and policy advice in support of government reforms as well as capacity building in the business sector and civil society aiming at implementing the Action Plan will be financially supported by international organizations, governments, and other parties from inside and outside the region actively supporting the Action Plan.

COUNTRY ENDORSING STATEMENTS¹

¹ Pronounced or submitted in writing at the Initiative's third regional conference in Tokyo in November 2001 or at various meetings of the Initiative's Steering Group.

AUSTRALIA

Chris ELLISON

Minister for Justice and Customs

Alexander DOWNER

Minister for Foreign Affairs

31 October 2003

Australia is pleased to announce its endorsement of the ADB/OECD Anti-Corruption Action Plan for Asia and the Pacific (the Action Plan), subject to two qualifications:

- (i) any technical assistance in support of the initiative under the aid program would be from within existing country or regional programs where agreed with partner governments; and
- (ii) Australia's contributions to the Trust Fund set up under the Initiative are voluntary.

Australia actively promotes anti-corruption activities both at the domestic and international level, and is already in substantial compliance with the standards and principles enshrined in the Action Plan.

Pillar One

In recent years, Australia has undertaken a series of reforms to the Australian Public Service at the Commonwealth level to ensure it is an effective and transparent service. The *Public Service Act 1999* and the *Financial Management and Accountability Act 1997* are particularly notable.

The *Public Service Act 1999* contains the Australian Public Service (APS) Values and the APS Code of Conduct. The Values and the Code of Conduct set out standards that ensure transparency and effectiveness and promote anti-corruption practices. All APS employees are required to uphold the Values and are bound by the Code of Conduct. Sanctions may be imposed for breaches of the Code of Conduct.

The *Financial Management and Accountability Act 1997* sets out the requirements for agencies to observe for the management and accountability of government funds. Australia has also implemented further policies and programmes to prevent corruption occurring in the public service.

Pillar Two

Australian policies and laws also comply with the second pillar of the Action Plan.

All Australian jurisdictions have criminalised bribery and have implemented anti-money laundering legislation. The Commonwealth Director of Public Prosecutions (which is responsible for all prosecutions at the Commonwealth level) is independent, appropriately resourced, and staffed by trained and experienced prosecutors. No impediments exist to limit the effectiveness of investigations or prosecutions conducted for corruption offences in Australia.

A number of inter-agency cooperation agreements have been developed at the national, regional and global levels that further increase the effectiveness of investigations and prosecutions.

Australia also has extradition and mutual assistance arrangements in place with a wide range of countries. These arrangements can be utilised for corruption offences in most cases. Extradition and mutual assistance in Australia is conducted in accordance with the *Extradition Act 1988* and the *Mutual Assistance in Criminal Matters Act 1987* respectively.

Pillar Three

Australia's programmes and policies are consistent with the third pillar of the Action Plan.

Australia has detailed transparency and reporting requirements with the budget, taxation and government expenditure. Australia has also implemented a freedom of information scheme that ensures the highest level of public access to government decision-making processes.

Non-governmental organisations (NGOs) participate in a range of government activities in Australia. The Department of Foreign Affairs and Trade holds regular human rights consultations with NGOs, hosted by the Minister for Foreign Affairs; and the Attorney-General also hosts a similar

NGO forum annually. NGOs are also involved in Parliamentary inquiries and committees.

Australia provides significant support for improved governance in the Asia Pacific region through its overseas aid program, including activities addressing the three pillars of the Action Plan. Aid expenditure on governance is estimated to be AUD\$370 million in 2003/04, or 21 percent of the total aid program.

The Australian Government looks forward to developing further anti-corruption projects for Australia in association with the Secretariat in the near future.

BANGLADESH

Moyeen KHAN

Minister for Information

30 November 2001

Mr. Chairman, distinguished colleagues and participants, ladies and gentlemen.

It is indeed a pleasure for me to participate in this Conference on Combating Corruption in the Asia-Pacific Region. I thank the organizers and sponsors of the Conference for inviting me down here, my greetings and best wishes to all of you.

It has become quite evident from our deliberations here during the last two days that corruption is a huge systematic and endemic problem in the countries of Asia and Pacific, throttling our efforts for the better quality of life for all grassroots people. We in Bangladesh have remained a perennial pray of this cult that has already been identified as one of the principal causes of underdevelopment and economic backwardness.

In fact, corruption was one of the main issues in the recently held parliamentary general elections in Bangladesh. Our party, the Bangladesh Nationalist Party, took a firm position against rampant corruption which resulted from the actions of the immediately past Government, which even led to Bangladesh being branded as the most corrupt nation in the world in one of the reports of Transparency International, who is participating in this Conference.

Our landslide election victory shows that the grassroots people of Bangladesh have given an emphatic verdict against political and administrative corruption.

We are therefore pledge-bound to implement the Anti-Corruption measures contained not only in our election manifesto but also as a part of the commitment being made in this Conference, under the joint auspices of the ADB and the OECD, and of our commitment made to our people, just before the last elections.

Mr. Chairman, it may be of interest to the participants of this Conference that the top three items in our election manifesto are linked to combating bad governance.

The first item was the restoration of law and order, made necessary as a consequence of corrupt practices. It was stipulated that the administrative and law enforcing agencies would be de-politicized and their actions would be made more transparent and more accountable.

The second item was the direct control of corruption, where the appointment of an ombudsman as early as possible including the establishment of an independent and autonomous anti-corruption commission has been stipulated. Transparency in government purchases and disclosures of assets and properties of public representatives had also been pledged in this section.

Thirdly, was an item on administration and justice. We made a commitment for upholding economic and social justice through the process of parliamentary democracy, transparency and accountability of government activities. This requires the separation of the judiciary from the executive and the freedom of state owned radio and television, which we are already implementing.

The Government of Prime Minister Begum Khaleda Zia is pledge-bound to implement these commitments in successive phases. The present conference and the adoption of the Action Plan could not have been more appropriate for us in our own context. Mr. Chairman, we consider the Anti-Corruption Plan for Asia and the Pacific to be very appropriate, timely and relevant. This, in fact, brought me here to confirm the commitment of our Government to this exercise.

The real challenge does not indeed lie in just the formulation and adoption of a plan. It lies in the implementation process. Here, we need to strengthen and overhaul our legal and institutional framework and seek a radical change for the better in our social and cultural attributes, ethics and morality.

The pillars that we seek to erect, as I have said before, are those for developing effective and transparent systems for public services, strengthening anti-corruption actions and promoting integrity in business operations. Supporting active public involvement and, if possible, subsequently trying to raise the voices of the grassroots are the real challenges which we have to face in the coming future.

Mr. Chairman, we cannot lose hope for our future, and we must contribute to striving harder and harder to rescue our teeming millions from the dark abuse of poverty, hunger, illiteracy, malnutrition and other forms of deprivation. Declaring an all out war against political, administrative and business corruption in the countries of the Asia-Pacific region can be a very good starting point for attaining that noble goal.

Mr. Chairman, I do hereby convey the consent of our Government to the Action Plan and I believe together in the Asia-Pacific region we will work in every way to achieve the welfare of the people of this region.

Thank you very much.

CAMBODIA

SUM Manit

Secretary of State, Office of the Council of Ministers

Secretary General, Council for Administrative Reform

Director of the Anti-Corruption Unit, Office of the Council of Ministers

4 March 2003

Excellencies, ladies and gentlemen,

First, I would like to express my deep appreciation to the ADB and the OECD for inviting me to attend this third meeting of the Steering Group of the Anti-Corruption Action Plan for Asia and the Pacific. I have a keen interest in listening to all of you and to know the progresses you have made since we met in Tokyo on 28-30 November 2001.

Good governance is at the heart of the Royal Government development strategy. On this subject, H.E. Hun Sen, the Prime Minister, said at the last meeting between the government and its development partners on 22 January 2003: "The main objectives of our government are to reduce poverty and promote sustainable and equitable development through rigorous measures aimed at strengthening good governance". We believe that the Anti-Corruption Action Plan for Asia and the Pacific is an important tool to sustaining Cambodia's effort.

May I briefly recall that, from the very beginning of its mandate in 1998, the present Government of Cambodia undertook to reform State institutions. Within six months of presenting its political platform to the National Assembly, the Government commissioned sets of studies to articulate specifics of its program of actions. One such study was a survey on corruption conducted with World Bank assistance. Another concurrent study carried out by the Cambodia Development Research Institute with ADB support examined links between good governance and sustainable development. These studies lead to approval of the Governance Action Plan (GAP) in March 2001 following intensive consultations involving internal and external stakeholders.

I will spare you the details of the Government's action program. The GAP and now the National Poverty Reduction Strategy (NPRS) provide ample insight into a reform program that spans a very broad front. I have

taken the liberty to make available to you all excerpts from the NPRS that focus on the Government's efforts to strengthen institutions and improving governance as keys to poverty reduction. Along with the Reform of Justice, the Administrative Reform and Decentralization, the fight against corruption has been singled out as one of four critical cross-cutting areas in this regard.

The GAP itself was designed as a sweeping instrument to correct causes of corrupt practices. Most planned actions, over a hundred of them, address aspects of the problem. It is, in effect, a comprehensive and ambitious program to combat corruption. It is a strategic rolling plan the Government is preparing to update to take account of progress and target evolving priorities, particularly those relating to poverty reduction. For those of you familiar with the GAP, you would have noticed extensive similarities with the type of action advocated by the Anti-Corruption Action Plan for Asia and the Pacific. Our common problem is that systematic and sustained efforts are arduous. Resources are scarce, many prerequisites need to be met and we are dealing with deep-rooted issues.

The Royal Government has elected to approach corruption with a holistic set of measures that address root causes of corruption. Indeed, ways and means to increase risks associated with corrupt practices are an integral part of the strategy. But codes, rules and laws cannot do it alone. Effective and fair enforcement mechanisms are the necessary complement to any legal framework. The Royal Government is actively building such capability while it is putting the finishing touch to what would become an enforceable legal framework.

The Government's strategy to combat corruption is being articulated along the following broad strategic objectives:

1. The legal framework and procedures are set in ways that respect principles of good governance, particularly as they relate to the management of public funds and the delivery of public services;
2. The salary and professionalism of civil servants, judges and prosecutors must be improved;
3. The general public and clients of public services are aware of and understand the legal framework, procedure and their rights and obligations;
4. Civil servants understand them and have the necessary skills and means to implement them effectively and fairly;

5. Oversight mechanisms are in place, and institutions to control and monitor implementation are empowered and fully operational;
6. Mechanisms to sanction or prosecute wrongdoers are fair, predictable and effective;
7. Requisite logistical support in terms of equipment and operating budgets, for example, are in place and timely; and
8. Cambodia takes full advantage of joint international efforts.

Early priorities are to complete the anti-corruption legal framework (the civil and criminal codes, codes of ethics, the anti-corruption law, the manual on the obligations of civil servants); to ensure its fair and efficient implementation and the strengthening of institutions (the Anti-Corruption Unit at the Council of Ministers, the Ministry of Parliamentary Relations and Inspection, the National Audit Authority, the Supreme Council of the Magistracy, and, in the near future, the establishment of the Office of the Ombudsman and of specialized chambers within the court system to deal with the resolution of administrative and commerce matters); and to eliminate causes of corruption by streamlining processes to deliver public services and make services more transparent, responsive and accessible –including One-Window Services. Ongoing improvements in the management of natural resources (naturally the implementation of the land law and land policy), in the control of public revenues and expenditures and in the management of the Civil Service (automated payroll, for example) are further specific examples of determined efforts by the Royal Government to do what it can with available means.

The time has come to ensure that requisite resources are in place to sustain the action.

I do not want to take much more of your time and look forward to our discussions. However, before closing I am honored to announce on behalf of the Royal Government that Cambodia endorses the Anti-Corruption Action Plan for Asia and the Pacific. The Anti-Corruption Unit at the Office of the Council of Ministers (ACU-OCM) is ready to working with all of you to combat the corruption curse. We are looking forward to a most productive collaboration in the region.

Thank you very much for your kind attention.

PEOPLE'S REPUBLIC OF CHINA

WANG Yongjun

Director General

Foreign Affairs Department

Ministry of Supervision

19 April 2005

Entrusted by H.E. Mr. Li Zhilun, Minister of the Ministry of Supervision of the People's Republic of China, I am honored to confirm the decision of the People's Republic of China to endorse the Anti-Corruption Action Plan for Asia and the Pacific and request that the Steering Group accepts the People's Republic of China as a full member of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific. Herewith we would like very much to express our sincere thanks to all the members of the Steering Group and the colleagues from the ADB/OECD Secretariat for their support and assistance, and we are looking forward to further strengthening the friendly cooperation with all the members.

COOK ISLANDS

Kevin CARR

Financial Secretary

Ministry of Finance and Economic Management

30 November 2001

Thank you, Mr. Chairman,

On behalf of the Cook Islands' Government, I wish to convey its agreement to the Anti-Corruption Action Plan. Before I attended this meeting I prepared a paper for the Cabinet that included the draft Action Plan. The Cabinet at that stage agreed in principle to the Plan. I am sure when I convey the discussions at this conference there will be full commitment by the Cook Islands' Government.

At the present time, I am not able to be so assured as to exactly what the first stages of our implementation of the plan will be because my ideas of priority and the Cabinet's idea may not be quite the same. What I can assure you is that the Cook Islands' Government will be adopting the Plan and will have an implementation plan.

When I consider the draft Action Plan, I believe that the Cook Islands' Government has already gone a long way towards implementing many of the principles of the Plan. The Government has set up legislation and put in place procedures and structures to ensure that the intent becomes a reality. We still have more work to do.

When considering the Action Plan, in particular the integrity of the public service, we have a Public Service Act that was passed in 1996. We have just completed a job-sizing exercise and a common pay system in the public service is being implemented. We have a draft code of conduct for the Public Service and a draft bill will go before Parliament at the next session to set up a code of conduct for elected officials.

Under accountability and transparency, we have a number of acts. Among those is the finance act that has had the effect over the past few years of preventing some of the excesses of the past. We are in the process of establishing parliamentary select committees that will be open to the public and the press to review each ministry's performance.

With regard to strengthening anti-bribery actions, we implemented in November 2000 a money-laundering act and here I would like to make a few comments on behalf of small countries such as the Cook Islands where we have limited resources.

I was made Chairman of the money-laundering authority and we anticipated that we would have everything implemented approximately six months ago. In fact, we are only now at the stage of final implementation.

The question is why we have not made the progress that we intended? The answer to that is the pressure that has been put on us by other countries and by organizations such as the OECD. We were making good progress implementing anti-money laundering measures. However the OECD found that they were not actually benefiting from globalization of international taxation. They therefore deemed it not globalization but harmful tax practices and suddenly all our resources were put into avoiding the penalties that were being threatened.

Having such a small number of appropriately qualified people makes it difficult for small island states. The key person in the Cook Islands in relation to money laundering is the Commissioner of Offshore Financial Services. She has spent many weeks attending various meetings, conferences and planning sessions aimed at avoiding retaliatory action by the OECD.

The point that I am trying to make is that we are a very small country; we have very few people capable with the necessary experience. Phil Mason (of UK's Department of International Development) put it succinctly when he referred this morning to "*conference fatigue*."

We have had a number of visits from various organizations. We have had an Asian Pacific Group evaluation, the Pacific Forum 8 principles of accountability, the IMF questionnaire on fiscal transparency, and various others. When I received the invitation to come here, I had some reservations. When we are attending conferences like this, we are actually not implementing plans, just talking about them. If we do not attend conferences we are often assumed not in favour and we are concerned that this may be held against us.

Having listened to the comments expressed during this meeting, I believe that the proposed Plan is appropriate and will be effective. I see it as more of an umbrella plan and I wonder whether many of the other initiatives that various organizations are promoting can also be brought under that umbrella. This will minimize the time attending conferences and increase the time spent on implementing action plans.

However, I believe we have made a considerable progress. As regards money laundering, our special thanks go to those who have helped us, in particular New Zealand, to set up a financial information unit in the last couple of months.

The area of corporate responsibility under the Plan warrants more public discussion in the Cook Islands. It is an area that has not received much attention in the past.

I would like to thank the Asian Development Bank and the OECD, in spite of my earlier criticism, for inviting us here today. I think that the conference has been helpful and the papers have been well-researched and presented. I see them as being useful as a basis for public discussion and plan releasing excerpts to the press to initiate discussion.

Finally, I would like to reiterate the commitment of the Cook Islands' Government to eliminating corruption in all its various forms. Our desire is to create an environment where corruption cannot flourish. I believe that that is the key to eliminating corruption.

Mr. Chairman, thank you very much for giving me the opportunity to attend and to speak at this meeting.

FIJI ISLANDS

Ralulu CIRIKIYASAWA

Acting Director

Policy Compliance and Audit

Ministry of Finance

30 November 2001

Mr. Chairman, distinguished colleagues,

I wish to echo the sentiment and the mandate from the Fiji Government and with that mandate I endorse the Action Plan for the Anti-Corruption Initiative for Asia and the Pacific.

Thank you, Mr. Chairman.

HONG KONG, CHINA

Maggie WONG

For Director of Administration
Government of the HKSAR

3 April 2003

On behalf of the Hong Kong Special Administrative Region (HKSAR) Government, I am writing to convey the decision of the Government to endorse the ADB/OECD Initiative's Anti-Corruption Action Plan for Asia and the Pacific in the capacity of Hong Kong, China.

The Government of the HKSAR attaches great importance in preventing and combating corruption. Legislation and policy are well-developed in the HKSAR in fighting corruption. We set up the Independent Commission Against Corruption, an independent statutory agency that reports directly to the Chief Executive of the HKSAR, in 1974 to combat corruption with a three-pronged strategy of investigation, prevention and education. We applaud the resolve of participating Governments in furthering this aim and support the principles and standards towards policy reform envisioned in the Action Plan. We also recognize the importance of political commitment and international efforts in the eradication of corruption. We look forward to cooperating and sharing our experience in fighting corruption with the international community through participating in the Action Plan.

The Director of Administration will be the official contact person of the HKSAR Government. I look forward to hearing from you on how our Government might take part in the work under the aegis of the Action Plan.

INDIA

Bhaskar KHULBE

Director

Department of Personnel Training

Ministry of Personnel, Public Grievances and Pensions

30 November 2001

Mr. Chairman, distinguished delegates,

We in India fully support the Initiative that has been drawn up by the ADB and the OECD. We would like to say that the text could be made more unambiguous and sharpened with the proposals that we have mooted, leaving nothing unclear, paving the way for its successful implementation.

India, as you know, has a very strong legislative and administrative framework that operates in a federal set-up, where the states have clearly delineated rules for vigilance in anti-corruption efforts and the Government of India as the Union government has its own functions.

I would like to highlight two or three main actions that the Government has launched in the recent past. Beginning with a big debate, lasting two long days that started in 1997 in the Parliament when we completed 50 years of our independence. It was the first time, in the history of independent India, that the parliamentarians discussed ways and means to combat corruption. It was followed by a landmark judgement from the Supreme Court in 1997 that allowed us to insulate both the investigating and the vigilance machinery against corruption from political interference.

Now we have three major pieces of legislation on the anvil. One is the freedom of information bill submitted to the Parliament in 2000. Another is the prevention of money laundering bill submitted in 1999. Also, a proposal for creating an ombudsman in India has been reintroduced in the Parliament in August 2001.

With these comments, I believe that it is clear that the Government of India has amply demonstrated its resolve to fight corruption by all manners and means and I would again thank the ADB and the OECD for allowing us to participate in this Conference.

Thank you very much.

INDONESIA

Agus HARYANTO
Secretary General
Ministry of Finance

30 November 2001

First, on behalf of the Indonesian Government delegation, allow me to begin by thanking the ADB, the OECD, and the Government of Japan for inviting us to this important conference on fighting corruption. This event is very resourceful for the sharing of experience and information on the subject.

Second, I would like to report some progress on the reform agenda in Indonesia. It is considered that the most crucial for a successful anti-corruption reform is the political commitment of the top person in the Government. During the session of the People's Consultative Assembly early this month, the President of the Republic of Indonesia, Megawati Sukarnoputri, stated again "the government's commitment to eradicate corruption towards a better, clean and respected government."

Even before this Conference, the Government has already made some progress on the implementation of some priority areas that are in line with the Action Plan, such as:

- Continuous improvement of its existing civil service reform;
- Improvement of the public expenditure management system through three separate draft Laws of State Finance, State Treasury, and Auditing on the State Finance Accountability;
- The Government has also introduced Laws on Anti-Money Laundering and Public Procurement as well as the setting up of a National Public Procurement Office for policy formulation;
- Introducing e-Government to limit contacts within government officials and public users (customs, new company registration);
- Promoting good corporate governance and enactment of an Anti-Monopoly Law together with the establishment of the Anti-Monopoly Commission;
- A review of laws and regulations governing public licenses and investment policies; and

- The measures and establishment of the Assets Declaration Commission for promoting transparency through the disclosure of assets of high ranking public officials in the executive

JAPAN

Yasuhisa KAWAMURA

Director

Ministry of Foreign Affairs

30 November 2001

I have already taken the liberty to explain the Japanese Government's position concerning the Action Plan and regional corporation so I shall be brief in expressing my Government's position here.

On behalf of the Government of Japan, we endorse the Anti-Corruption Action Plan for Asia and the Pacific developed by countries from the region with the coordinated support of ADB and OECD. By looking ahead, we have our own agenda and one of the items, which we will implement, is the Unfair Competition Prevention Law. As a matter of fact, the parliamentary representatives passed the revised legislation of the Unfair Competition Prevention Law last June and, as of today, though I have not confirmed it yet, the Government ordinance to implement this revised legislation is supposed to take place. We are already taking new actions on this subject.

As for public transparency issues, we will make all efforts to explain what should be done.

Lastly, I would like to point out the different issues for public surveillance and also for the transparency in the Government from bridging the distance with the Asia and the Pacific region. The Government of Japan is fully committed to improving the situation in this region. In the context of OECD, at the initiation stage, they have addressed the issue of this division of the Asia and the Pacific region. The Government of Japan is pleased to cooperate with OECD and possibly with ADB for improving the situation in this region for the months to come.

Thank you very much.

KAZAKHSTAN

Sat TOKPAKBAYEV

Chairman

Commission on Ethics and Combating Corruption
Under the President of the Republic of Kazakhstan

22 May 2002

To the attention of the Secretariat of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific:

This is to inform you that the Government of the Republic of Kazakhstan expresses its agreement to join the Anti-Corruption Action Plan for Asia and the Pacific of the ADB/OECD Corruption Initiative, initially adopted on 30 November 2001 in Tokyo, Japan.

REPUBLIC OF KOREA

Young-Son SHIN

Director

Investigation & Inspection Bureau

Office of the Prime Minister

30 November 2001

First of all, I would like to thank the ADB, the OECD and the Government of Japan for organizing this wonderful Conference.

On behalf of the Government of Korea, I strongly endorse the Anti-Corruption Action Plan for Asia and the Pacific.

The Korean Government is committed to implementing the three pillars of action that are recommended by this Action Plan.

In the coming year, we intend to enhance the integrity in public service through measures which ensure that officials report acts of corruption and which protect the safety and professional status of those who do, namely the protection of whistleblowers.

Second, we intend to take effective measures to actively combat bribery by ensuring the existence of legislation with sanctions which effectively combat the offense of bribery of public officials.

Third, we intend to encourage public participation in anti-corruption activities, in particular through the involvement of nongovernment organizations in monitoring public sector programmes and activities.

Thank you.

KYRGYZ REPUBLIC

Asylbek BOLOTBAEV

Head of Civil Service Unit

Head of the Commission Secretariat on Ethics

President Administration

30 November 2001

The initiative of the ADB and the OECD is very important to fight with corruption. In the Kyrgyz Republic we are already taking the necessary steps in this area. Thank you for the invitation to participate in the preparation of this Action Plan. The Kyrgyz Republic will do everything to implement the Action Plan coordinated by the ADB and the OECD.

Thank you.

MALAYSIA

Dato' Zulkipli BIN NOOR

Director General

Anti-Corruption Agency of Malaysia

30 November 2001

Mr. Chairman and distinguished delegates, ladies, and gentlemen,

Firstly, let me express my sincere gratitude to the organizers of this Conference. Our congratulations go to both the Asian Development Bank (ADB) and the Organisation for Economic Co-operation and Development (OECD), as well as the Government of Japan for hosting the Conference. Malaysia supports this honourable effort. Indeed, we have always given our support to efforts regionally and internationally, to combat and eradicate corruption.

The Malaysian Government is committed to combat and eradicate corruption in all its forms—passive or active corruption. This commitment has been with us for a long time. We have formulated and enforced legal, administrative and social related actions to achieve these objectives, both within and outside government. Every effort has been made, including preventive, educational and punitive measures to create awareness and effective deterrence. In this respect, we have achieved considerable and encouraging success.

Mr. Chairman, we view the Anti-Corruption Action Plan for Asia and the Pacific as a step forward towards realizing our common goal to eradicate corruption. Although it is a non-legally binding document, it nevertheless provides workable and practical guidelines. On this basis, and on behalf of the Malaysian delegates and with the authority of the Government of Malaysia, I hereby endorse it as it is.

In relation to the three pillars for the coming year, Malaysia intends:

First, to continuously ensure ethical and administrative codes of conduct in the public and private sectors be practiced and adhered to effectively;

Second, to adopt a more proactive enforcement strategy and to enhance efforts to trace and recover the proceeds of corruption. Like-

wise, we intend to keep the legislation under constant review for further improvements; and

Third, to undertake a National survey on the public perception of corruption in Malaysia.

It is our belief that with tenacity, determination, effective capabilities and sound strategy, plus the cooperation of participating countries, our resolve and effort to fight and eradicate corruption will succeed. We must ensure that there will be no escape for offenders and equally no place for them to hide their ill-gotten wealth anywhere in the world.

This is the direction we are embarking on.

Thank you.

MONGOLIA

Zambyn BATJARGAL
Ambassador of Mongolia
Embassy of Mongolia to Japan

30 November 2001

Distinguished delegates, ladies, and gentlemen,

I understand that it is not possible to solve all anti-corruption-related problems with one single Action Plan.

I also understand that it is really difficult to develop an Action Plan that will satisfy everybody. But all measures in this proposed Action Plan can be given good start if they will be incorporated into national Action Plans and legislative systems, of course taking into account national circumstances. It would be a great contribution to the solution of corruption-related problems in every country and in this region.

Therefore, I would like to express my thanks to all experts from those countries who participated in the preparation of this draft Action Plan and the ADB and the OECD for their support as well as the Government of Japan for hosting this very important Conference.

On behalf of the Government of Mongolia, I would like to strongly endorse the Anti-Corruption Action Plan for Asia and the Pacific. My Government is committed to implementing the three pillars of action being recommended by this Action Plan.

NEPAL

Surya Nath UPADHYAY

Chief Commissioner

Commission for the Investigation of Abuse and Authority

30 November 2001

Distinguished delegates, ladies, and gentlemen,

I reiterate the commitment of Nepal and state that Nepal fully supports and endorses the Action Plan that has been the subject of this meeting. As a matter of fact, we participated in the preparation and drafting of the Action Plan with the Secretariat of this Initiative, the office of the OECD and the ADB. We believe that the Action Plan, which reflects the basic principles and pillars to fight corruption, is a consensus document to guide our future activities in this area.

Nepal is committed to fight corruption. A constitutional body, Commission for the Investigation of Abuse of Authority, which has jurisdiction to act on abuses of authority including corruption, has been set up. As the Government is fully committed to control corruption, three separate bills have been placed before the Parliament to further explain, elucidate and enhance the authority and capacity of the Commission.

At the time of prioritizing activities in this area in the respective countries, we need to stress those measures which are specific and practical. We also very much look forward to working with our friends in the region to develop and implement proposals that will bring us together in fighting corruption.

PAKISTAN

Munir HAFIEZ

Chairman

National Accountability Bureau

Chief Executive's Secretariat, Islamabad

30 November 2001

The Tokyo Conference successfully aims today to be a follow-up to the conferences in Manila and Seoul.

It is reassuring to note the Initiative taken by the OECD and the Asian Development Bank in achieving the milestones to make us more aware of anti-corruption matters.

This Conference is significant as the phase of implementation begins.

On behalf of the Government of Pakistan, I endorse the Action Plan.

Pakistan has been and continues to be plagued by corruption. For the past two years, we in Pakistan are already involved in some aspects outlined in the Plan. This process will continue and when we meet 12–18 months from now, I am confident that we shall have covered more significant ground towards good governance in the anti-corruption field.

We are restructuring our police, the central board of revenue, and its ancillary institutions. Through public campaigns, we are working on enhancing institutions for public scrutiny and oversight. The creation of the National Accountability Bureau lays testimony to the political will and commitment of the Government of Pakistan to combat corruption in any form. Across-the-board accountability, initiated by the NAB, is starting to have good anti-corruption effects.

For the new system of local government and empowerment at the grass roots, we have had a successful election in August 2000. As a result, monitoring of the political institutions and development is now under constant scrutiny and monitoring of the public. However, more education and awareness of the public is required.

Our major problem, and I brought out this earlier as well, is the provision of assistance, both human resource development and financial, by the developed countries. I would ask the OECD and the ADB, since they have taken the noble initiative to assist for making a regional group that could interact with other regional groups of Europe, Africa, and America,

to repatriate money for us. To achieve this, legislation by these countries is required to facilitate the return of our money and to help identify corrupt persons.

In the end, I would like to express my gratitude to the OECD, the ADB, and the Government of Japan for organizing this excellent Conference. It has been our privilege—that is the privilege of my fellow delegates and myself, to have interacted with everyone here, as the delegates focused on the task of anti-corruption.

I wish the OECD, the ADB and all of us the very best in this task that we have undertaken for ourselves.

Thank you very much.

REPUBLIC OF PALAU

Satrunino TEWID

Public Auditor

Office of the Public Auditor

18 June 2004

Mr. Chairman, distinguished colleagues,

The Republic of Palau achieved its independence in 1994. Consequently, for the past 10 years, our nation has been diligently working to establish an appropriate environment for sustainable development. Palau has therefore concentrated on the establishment of an institutional framework that focuses on:

- The development of appropriate economic institutions;
- The investment in infrastructure;
- The incorporation of environment in all planning efforts;
- The support to and development of key sectors of the economy;
- The containment of the cost of government; and
- The limiting of government corruption.

The Republic of Palau believes that the minimization of corruption stands as a primary column to the other focus areas. Consequently, from the beginning of its independence, and even before, special emphasis has been given to the promulgation of laws that will ensure transparency in government transactions. Major laws promulgated to ensure clear governmental processes include the following:

- The Public Auditing Act – This law mandates the conduct of audits of all agencies and activities of the Republic, including the audit of all National Treasury transactions, including contracts, grants and the disbursement of public funds.
- The Special Prosecutor Act – This law established the Office of the Special Prosecutor, who has the power to investigate and prosecute the national and state governments, and its officials, for violations of the Constitution and laws of the Republic or for

failure to implement such laws. The Office, since its creation, has been very active in monitoring and ensuring that public officials spend public funds in an appropriate and lawful manner.

- The Code of Ethics – The Code of Ethics regulates transactions by national and state public employees, officials and elected officials, as well as persons making campaign contributions. The law prohibits personal gain through governmental transactions, prohibits conflict of interest, restricts incompatible outside employment, prohibits solicitation of gifts and severely restricts the size of campaign contributions, limiting such contributions to Palauan citizens.
- The Government Procurement Code – The Procurement code ensures the fair and equitable treatment of all persons who deal with the procurement system of the Republic of Palau national government, or any of its state governments, and applies to construction materials, goods, and services, and the management, control, warehousing, sale, and disposal of construction materials, goods and services.
- The Budget Reform Act – This Act established a performance based budget and reporting system in Palau. The law mandates the generation of information to ensure efficient government, the development of well-defined goals and priorities and strengthens government accountability.
- The Money Laundering and Proceeds of Crime Act – The Money Laundering and Proceeds of Crime Act was enacted in 2001 in order to keep a step ahead of international criminal activity as well as potential corruption at the local level. Stringent bank reporting standards are imposed and criminal penalties for infractions are severe. New safeguards are also pending before the Legislature to better track sizeable cash transactions made through remittance services.

The Republic of Palau is committed to establishing a transparent government at the national and state levels that works to assist the private sector and the people of Palau. As a new nation, institutional integrity is within the grasp of the people and its government officials. The Republic of Palau is therefore in favor of continued assistance to fine-tune its governmental response to the issue of corruption. Our country is thankful for the efforts of the ADB and the OECD in assisting Small Island Developing States to establish local capacity and institutional integrity. On behalf of the President of the Republic of Palau, I therefore endorse the Anti-Corruption Action Plan for Asia-Pacific of the ADB/OECD Anti-Corruption Initiative.

PAPUA NEW GUINEA

Mathew YUANGU

Director of Governance, Law, Justice and International Affairs
Policy and Advisory Division

Department of Prime Minister and National Executive Council

30 November 2001

Distinguished representatives from participating countries, representatives from civil society groups, business associations of the region and non-government organizations present here in this room, greetings from Papua New Guinea,

It is also fitting that I join other delegates who spoke before me in sincerely thanking ADB and the OECD for bringing us together here in Tokyo. I would also like to thank the Government of Japan for hosting the event in this beautiful hotel, Hotel Nikko Tokyo.

I am indeed honoured to represent my country at this important Conference. I am particularly honoured to have the authority of my Government to endorse the Plan of Action. The last two days have been very insightful for me. The Focus Groups discussions in particular were very informative, helping us to learn and take home ideas on how best to implement the Plan of Action which Papua New Guinea was privileged to have played a part in finalizing in Manila last month.

Papua New Guinea's decision to participate in this regional initiative is demonstrative of the Government's recognition that corruption in public places is a serious problem affecting development in the country. It also demonstrates the Government's priority and commitment to fight corruption. Papua New Guinea views the ADB-OECD Anti-Corruption Initiative as an opportunity that, if linked in a systematic, planned, and coordinated manner, can assist the Government's effort towards eliminating corruption and in doing so, restore integrity in state institutions and bring about good governance. Good governance is the keystone of development.

Upon taking up office over two and a half years ago, the Prime Minister of Papua New Guinea, Sir Mekere Morauta, in a country statement, described corruption in Papua New Guinea as "endemic, systemic and

systematic.” He likened corruption to a cancerous disease that is eating away the fabric of the society, thus weakening the pillars of the State. This description in itself is illustrative of how entrenched the problem is in Papua New Guinea. This open acknowledgement by a head of government is to the minds of the many concerned citizens a positive step and underpins the political will of the Government to fight corruption.

I should make mention of the important part that citizens, society groups and the media in Papua New Guinea are playing in respect to highlighting bribery and corruption issues. In doing so they keep the agenda alive and of course impress on the Government to take action. This is an important role and I am glad to say that the Plan of Action I will endorse on behalf of my Government in a moment recognizes this and in an important way would facilitate and strengthen such interaction and dialogue between government and the community. I am glad to also add that the type of democracy we have allows this important process to take place freely.

Furthermore, recent trends in Papua New Guinea and indeed in many other developing countries is that, the donor communities are taking a tougher stand on corruption, making it a condition for future development assistance. This is an important development that is making Governments take serious efforts in combating corruption. Corruption is an international phenomenon which is increasingly becoming complex. International collaboration is therefore crucial to address the problem.

The Government of Papua New Guinea has taken measures to combat corruption. With the help of multilateral development financiers and bilateral aid donor governments, a public sector reform program was instituted commencing with capacity building programs focusing on the “watch organizations” of the State namely, the Ombudsman Commission, Auditor General’s Office, Attorney General Department, and Public Prosecutor’s Office, as well as the police.

Another initiative that has direct connection to the ADB-OECD Initiative is the Government’s effort to speed up investigation and prosecution of alleged bribery and corruption cases. This relates to the bringing together of key Government agencies (those mentioned earlier with the inclusion of Finance and Treasury and Personnel Management Departments) to cooperate in this task. Under the charter of the Statement of Alliance signed by the state agencies, the Public Sector Anti-Corruption Liaison Committee was set up. The Public Sector Anti-Corruption Liaison Committee, which is chaired by the Chief Secretary to the Government, is now working on setting up a National Anti-Corruption Agency.

The committee has had extensive discussions on the problems of corruption in the country and has identified weaknesses in the Government systems that provide the environment for corruption to flourish. Recommendation will be made to the Government on corrective measures. Many of the activities identified in the Plan of Action reflect these problem areas. In this respect the Plan of Action of the Initiative will find easy accommodation in the Papua New Guinea context. Papua New Guinea views such interventions programs by major development partners as supportive of national efforts and considers it crucial for the long-term development and progress of the country.

In Papua New Guinea it is not that we do not have laws, rules, and regulations governing conduct of public officials. On the contrary we do have laws BUT it is the unabated abuses, manipulations for personal gains, and inaction by the authorities that have allowed the problem to compound, reaching the level that is threatening stability, national integrity, and sovereignty of the nation. Our priority in the short to medium term will be focused on strengthening the restraining institutions of state. The Government has begun this process and we intend to continue more aggressively. The ADB-OECD Anti-Corruption Initiative is timely and Papua New Guinea looks forward to the specific programs support and technical assistance under this framework. Our priorities for the next 12–18 months will be communicated to the Secretariat of the Initiative in due course.

Finally, and before I do the act of commitment on behalf of my country, let me make one last comment. My challenge to the development partners sponsoring this Initiative is that Papua New Guinea and the Pacific Island countries are small players in the region. Please do not forget us after Tokyo. We will rely on your guidance in the process of implementing the Plan of Action.

It is truly the desire of Papua New Guinea to be a model in the implementation of the Plan of Action. I can assure you that we have all the elements of democracy that provide the environment to move ahead with the implementation. We would like to start with areas that we can move very quickly and achieve positive results. We would like to win community support through action. My next task after Tokyo is to coordinate a country strategy which would link the Plan of Action to national programs. We look forward to cooperate in the task ahead and achieve the objectives of the Initiative.

Let me now do the act of commitment on behalf of the Government of my country. I, Mathew Yuangu, representing Papua New Guinea and

with the honour granted to me on this occasion, strongly endorse the Plan of Action on Anti-Corruption in Asia and the Pacific. In doing so, let me convey the Papua New Guinea Government's support and commitment towards the Initiative.

Thank you very much.

PHILIPPINES

Jaime L. GUERRERO

Chief of Staff

Office of the Vice President

30 November 2001

Mr. Chairman, fellow delegates, distinguished guests, ladies, and gentlemen,

As a delegate from the Philippines, I have the honor and privilege to inform you that this Initiative and the outcome of this Conference are of great significance to my country. So much so, that the President of the Republic of the Philippines, Her Excellency, President Gloria Macapagal-Arroyo, formally designated me as Philippine representative to this ADB-OECD Conference with full power and all manner of authority to negotiate, conclude, and sign, if need be, on behalf of the Republic of the Philippines the Anti-Corruption Action Plan for Asia and the Pacific.

We have before us today, the Anti-Corruption Action Plan for Asia and the Pacific, developed by the coordinated efforts of officials of ADB and OECD, representatives of some donor countries and participants from regional and world organizations, as well as delegates representing concerned countries of the region.

Mr. Chairman, on behalf of the Philippines, I would like to place on record a statement in these proceedings:

First, on behalf of and with the full authority of the Government of the Republic of the Philippines, I have fully endorsed and I now strongly endorse this Action Plan, and I am for its approval and adoption by this Conference.

Second, my Government, under the leadership of Her Excellency, President Gloria Macapagal-Arroyo, is deeply committed to the struggle against corruption. It therefore pledges to implement to the best of its ability, within the framework of its national Constitution and laws, the three Pillars of Action recommended by the Action Plan.

Third, the Republic of the Philippines, wherever and whenever it may be called upon, will extend its cooperation to each and all of the concerned countries and institutions of the region, and the rest of the world, for the success of this worldwide campaign against corruption.

Thank you, Mr. Chairman.

SAMOA

Lucia SEFO

Deputy Financial Secretary
Treasury Department

30 November 2001

I would like first of all to join others in thanking the ADB, the OECD and the Government of Japan for hosting this Conference.

The three pillars of the Action Plan, Mr. Chairman, very much reflect and echo the programs of reform towards good governance that Samoa has been undertaking since the early 1990s and late 1980s.

These programs for good governance are a continuing process for which we have the support of the multinational community.

In this perspective, and having taken full account of the most important measure to a small island state for such undertaking, that of institutional capacity, I am conveying the Government of Samoa's endorsement of the Action Plan.

Thank you, Mr. Chairman.

SINGAPORE

Cher Yak CHUA

Director

Corrupt Practices Investigation Bureau

30 November 2001

While we endorse the Action Plan I think it is necessary that we place it in the context under which the endorsement is made.

We have been taking strong anti-corruption action all these years with or without the Plan.

Therefore, it would be out of sync for us not to endorse the Plan as that would go against what we stand for.

Whilst we have not arrived (and I think nobody has truly arrived), may I humbly request that we should not be tracked and audited as though we are just starting to embark on an anti-corruption programme.

Thank you.

THAILAND

Wisit WISITSORA-AT
Director General
Office of Justice Affairs
Ministry of Justice

19 April 2005

This is to kindly inform you that the Cabinet of the Government of Thailand has already approved the ADB/OECD Anti-Corruption Action Plan in November 2004 and the Ministry of Justice was assigned to implement the Action Plan.

This letter is to confirm that Thailand wishes to become a member of the ADB/OECD Initiative's Steering Group. We understand the commitments as a member of the Steering Group and wish to participate in the annual/bi-annual Steering Group meetings where we can both learn from other member countries and share our experience in implementing reforms under the Action Plan.

VANUATU

Jimmy ANDENG

Acting Director General

Ministry of Comprehensive Reform Program

30 November 2001

Mr. Chairman, your excellencies, colleagues, ladies, and gentlemen,

Firstly, let me thank the ADB and the OECD for organizing this third Conference on Anti-Corruption and extending the invitation to Vanuatu to attend. Also the Japanese Government for hosting the Conference.

This is the first time that I am participating in such an important series of Anti-Corruption meetings but I am sure it will not be the last for Vanuatu.

Vanuatu also endorses the Anti-Corruption Action Plan because we believe that the Action Plan is in line with the principles of our reforms and should reinforce existing laws. In particular, the penal code for serious offences (Confiscation of Proceeds Act, Mutual Assistance in Criminal Matters Act, Financial Transactions Reporting Act and the Leadership Code Act).

As a small developing country, Vanuatu is susceptible to corruption. Due to lack of capacity and financial resources, leaders and officials are sometimes tempted to accept bribes, as people tend to easily know each other.

So far the existing laws have acted as a strong deterrence. However, there is current investigation of some leaders, who if found guilty of the offences, will be prosecuted.

We believe that for the Action Plan to work, there has to be a strong commitment of political leaders, NGOs, and civil society in our countries and a better coordination and sharing of information between enforcement agencies in the countries, as well as a good legislative framework.

In terms of pillars 1 and 2, we believe we have some relevant laws in place.

With regard to pillar 3, Vanuatu has a long way yet to go. While there is some debate and public discussion on corruption, this is done in an adhoc manner. There is also limited access to information and a general lack of public participation.

Mr. Chairman, I am very happy to report that this morning I received confirmation from my Government that it approved the Action Plan. Therefore on behalf of the Vanuatu Government, with the authority given to me, I endorse the Anti-Corruption Action Plan for Asia and the Pacific. My Government is committed to implementing the three pillars of action being recommended by this Action Plan.

VIETNAM

Mr. Tran Quoc TRUONG
Permanent Deputy State Inspector General
Government Inspectorate

13 July 2004

Ladies and Gentlemen,

Under the authorization of the Prime Minister of Vietnam, on 16 June 2004, the State Inspector General of Vietnam signed an official letter formally announcing that Vietnam endorses the Anti-Corruption Action Plan for Asia and the Pacific.

Today, in the beautiful capital city of the Philippines, with the authorization of the State Inspector General of Vietnam, I would like to formally inform you that Vietnam has decided to endorse the Anti-Corruption Action Plan for Asia and the Pacific initiated by ADB and OECD.

The official participation of Vietnam has expressed our strong political will in strengthening the work of prevention and fight against corruption, and in fostering international cooperation in this very important area.

In the battle of fighting corruption in Vietnam, in Asia and the Pacific, and anywhere else, we are determined to seek comprehensive cooperation and assistance from ADB, OECD, the donor community, the Initiative's Advisory Group and all endorsing countries to the Anti-Corruption Action Plan for Asia and the Pacific.

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